

R E A S O N S

F O R

Uniformity in the S T A T E.

B E I N G A

S U P P L E M E N T

T O T H E

Britannic Constitution.

By the Author of the BRITANNIC CONSTITUTION.



L O N D O N :

Printed for S. BIRT, D. BROWNE, C. HITCH, C. DAVIS, S. AUSTEN,
and A. MILLAR. MDCCXLI.

REASONS

FOR

Uniformity in the STATE.

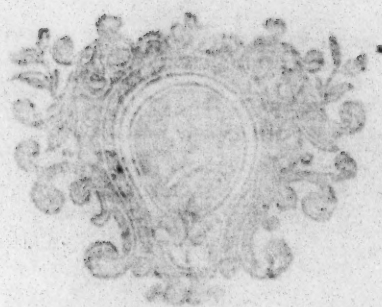
BEING A

SUPPLEMENT

TO THE

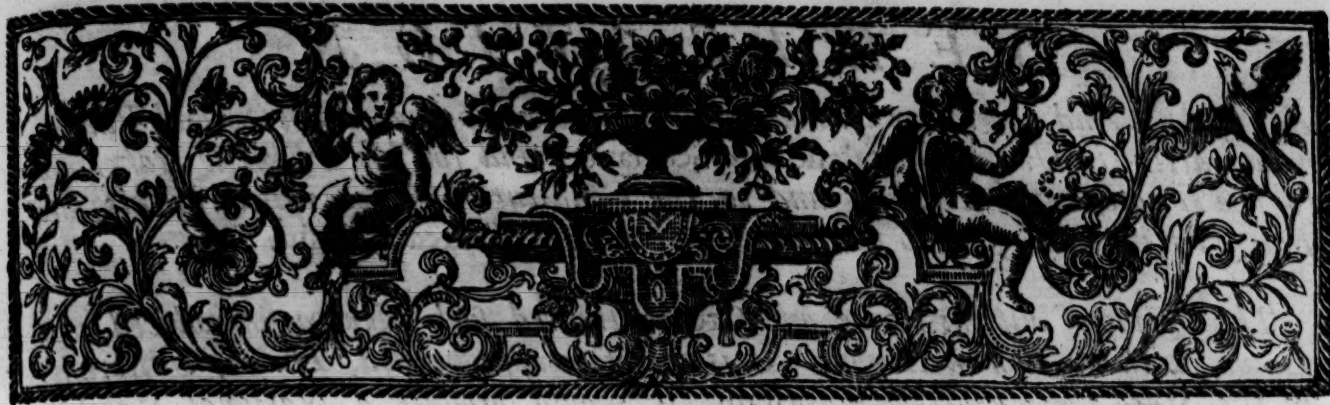
Britannic Constitution.

By the Author of the BRITANNIC CONSTITUTION.



L O W D O W :

Printed for S. Birt, D. Brown, C. Hitch, C. Davis, S. Austen,
and A. Miller. MDCCLXII.



TO the RIGHT HONOURABLE

Arthur Onslow, Esq;

SPEAKER of the House of COMMONS, and One
of His MAJESTY'S Most Honourable PRIVY
COUNCIL.



THE numerous Suffrages of your Country having distinguish'd you, and the unanimous Voice of the Commons having justly advanc'd you to the principal Seat in that Assembly, which the several Parts of the Nation have elected to represent them, and to act for them, in the Common Council of Great Britain, makes you, as being the first Commaner, the most proper Patron, to promote the Uniformity here proposed; forasmuch as the devising and preparing Laws, of this universal Concern, was by the Constitution made an original and glorious Privilege of that House you serve, in guiding their particular Proceedings.

The Right of his present Majesty, and of his Heirs, being Protestants, to the British Crown and Government, being founded on the Britannic Constitution, (which is secretly calumniated, though not openly disowned) will, by the Uniformity here indicated, be cleared and made firm, against the potent Pretenders: Your known Attachment therefore, to that Right, and the Friends of that Right, attracts you the Conduct of promoting so laudable an Undertaking.

A particular Motive for presuming to crave your Patronage, is, my being a Native near Onslow in Shropshire, where the Remains (which the Flames of War have left) of the antient Seat of your Ancestors demonstrate its pristine Magnificence; and an additional Reason is, That that Branch of the Family, from which you are descended, hath furnished to the Kingdom several eminent Patriots, to serve as Speakers in its National Assemblies, namely, Richard Onslow, Esq; and your Uncle Sir Richard Onslow, Bart. The Merit of the former was so conspicuous, that he was Attorney of the Duchy of Lancaster, Attorney of the Court of Wards, Recorder of the City of London, Solicitor General to Queen Elizabeth, and at last chosen Speaker in the Eighth Year of her Reign; to all which he arrived at his Age of 38. but was removed unseasonably, by Death, at his
Age

DEDICATION.

Age of 44: And the latter was unanimously chosen Speaker in the Second Parliament, after the Union of England and Scotland; and for his inflexible Adherence to the Protestant Succession, and to the Constitution, was raised by his late Majesty King George I. to the Dignity of a Peer of Great Britain.

The People of antient Rome and Greece treated such Men, as introduced good Laws, with uncommon Honour. It is therefore apprehended, That if Uniformity in the State were enacted in Britain, it would produce a National Stability, meriting equal Honours; forasmuch as the fluctuating Opinions, about what are the Fundamental Rights of the Crown, and what of the People, have often engaged the Governors and Governed, in hostile Contentions, rendering the Nation weak by Divisions; which in former Times, excited neighbouring Potentates to invade and wrest away those very Rights both Parties contended for; and in our Times, unquestionable Authority hath informed us, that the same Causes are engendering the same Effects.

If therefore mistaken Notions of Government continue (as without all peradventure they do) lurking and watching Opportunities, to invite and assist Pretenders to usurp the Crown; and if the original Rights and Powers which the Lords and Commons challenged and exercised at the Revolution, are questioned, and daily debated, and sometimes denied, (as is evident they are) then the providing proper Expedients to extirpate those Questions and Mistakes, and to form in Britons contrary Sentiments, is an Affair material for good Patriots; and for those Reasons, it is hoped this Essay to establish more strongly the Succession in the Protestant Line, and to exclude the Popish, and to reduce those controverted Points of Government, to a Certainty, will be in your Time undertaken and effected; for which End this short Memorial of Reasons for it is humbly addressed to your Consideration, who being equally your Country's and your Prince's Servant, will doubtless equally advance both their Interests, and will (as I hope) accept and countenance this Overture from him, who with great Respect is,

S I R,

Your most Obedient,

Humble Servant,

Roger Acherley.



REASONS

FOR

Uniformity in the STATE.

BEING

A SUPPLEMENT to the *Britannick* Constitution.

THE Design of this Supplement is, to unite the two contending Parties of *Whigs* and *Tories*, in the true Notions of the Constitution of the *British* Kingdom and Government, as the only Expedient to pull up by the Roots all Seditions, Tumults, Treasonable Conspiracies, Rebellions, and even Party Distinctions, except That One, *viz.* Of Those who are for the *British* Constitution, and Those who are against it, being a Distinction that ought to be perpetual: Which desirable End can never be effected, without an Act for Uniformity, and for that Purpose to shew,

I. How well the Constitution in the Church is secured by Uniformity.

II. To exhibit those Diversities of Opinions, touching the Constitution in the State, that render it infirm, and therefore make Uniformity necessary; which may be affirmed to proceed and increase from these Causes; *viz.*

1. From the Contrariety of those Notions which are warmly espoused by the Parties, vulgarly called the High Party, and the Low; and which run thro' the whole Body of the People.

2. From the Struggles of that Party, which aspires after Church Power and Dominion, and after Authorities to govern in Spiritual Matters, by Canon Laws of their own making, in Convocations.

3. From Discourses which handle the Constitution in this Kingdom, as a Point of State, Casuistically.

4. From the erroneous and untrue Positions publish'd in a celebrated Book, call'd, *The Hereditary Right of the Crown of England asserted, and the English Constitution vindicated.*

5. From that artful and blemishing Account that is given of the National Proceedings, before, and at, and after the Revolution, by a celebrated Historian, in his Two Histories, the one called, *The History of England*; and the other, *The History of the Revolution.*

6. From the want of imitating that Venerable Precedent, which the Legislature provided to reduce the People's Disputations, and disagreeing Notions of *Magna Charta*, to Uniformity.

7. From the Insufficiency of those Securities which have been as yet provided, to preserve the State Constitution.

8. And as an Addition, it is shew'd, That a full Dependence is to be placed in his present Majesty's Royal Promise, *That the Preservation of the Constitution in this Kingdom, as it is now happily establish'd in the State, inviolable, in all its Parts, shall be his first, and always his chief Care*; and that therefore the **Thing promised** to be preserved, ought to be ascertained, and made apparent.

The Conclusion, therefore, shews the Method how this Expedient may be attained, and the great Advantages that will accrue to the Protestant Royal Family, and to all Degrees of People, from such Uniformity.

N. B. The *Britannick Constitution* of the Kingdom, to which this is a Supplement, to carry it into Execution, was at first undertaken, and at last publish'd, upon these Considerations; *viz.*

1. From a View of those Noble and Fundamental Principles of the Constitution, in this Kingdom, which the Managers for the Commons in the Year 1688. urged and insisted on, to prove the Vacancy of the Throne; which merit, above all others, to be collected and epitomized.

2. From the Deficiency of the Arguments exhibited in the printed Pamphlets called, *The Powers that are, &c. God's Ways of disposing Kingdoms*; the *Distinction* of Conquest, as if the King might be conquer'd, and not the People; and other such Performances, that were publish'd principally by Clergymen, to maintain the Justice of the National Proceedings at the Revolution; all which Arguments, as soon as read, vanish'd, because they contain'd no more in Substance, than the Inferences of sedentary Men, unacquainted with the Laws, and who collected them from their own general Reason; which every Man might encounter with his own, if he thought his own the stronger.

3. From those frequent Fears and Alarms of Invasions from Abroad, and Insurrections at Home, which happen'd in the Year 1715. when the Rebellion in *Scotland* spread into *England* as far as *Preston*: In the Year 1716. when Count *Gyllenberg's* Letters discover'd an intended Invasion from *Sweden*; to obviate which, a Fleet was sent to the *Baltick*: In the Year 1718. when *Spain* made great Preparations by Sea and Land, entertain'd the Pretender, who aspir'd to usurp the Crown, and acknowledg'd him for King of *England*; but being disappointed in some of their Measures, those Preparations were diverted, and, for a Colour, sent to drive away the *Moors* from before *Ceuta*: In the Year 1719. when *Spain* sent a Body of Men into *Scotland* to join the *Highlanders*, which were engaged and defeated by General *Wightman*: And in the Year 1725. when the Pretender's Emissaries were busy at divers Courts, soliciting his Cause, as if Foreign Assurances were encourag'd by Invitations and Solicitations from *Britain*: All which Alarms have issued from the People's Fluctuations about what is, and what is not, the true Constitution of this Kingdom; for the Pretender, or his Foreign Adherents, could not, without Invitation from a Party in *Britain*, form any probable Measures or Expectations.

4. From the long-used Politicks, which centre in this, That the Legality of the Revolution, and of the Protestant Succession, must be asserted and defended by Force and Violence only, (*i. e.* by Fleets and Armies Abroad, or by the Axe and other Executions at Home) totally neglecting the other Policy of forming in the People's Minds right Notions of the Constitution of this Kingdom, and of the Law of the Land; for want of which, a great Part of the People have been, by the specious Arguments of the Pretender's Emissaries, led into gross Errors and Misapprehensions; whereas, when the Law and Reason appear to be on our Side, and the Wrong on the Pretender's, his Party, and, with them, the Fears and Alarms of Invasions from Neighbours, and Insurrections of mistaken *Britons*, must necessarily vanish and disappear.

5. From an inflexible Adherence to the Right of the Protestant Succession, founded on a Persuasion, That those Successors would excel in doing Justice to every Man, who should do for them any signal Service; as also to the People in general, pursuant to solemn Engagements. But to proceed;

I. *As to the Security of the Constitution in the Church, by Uniformity.*

The Security and Strength of the Constitution in the Church of *England*, subsists principally upon Uniformity, and on the People's Knowledge of it, and upon the Recognition made by the Clergy of their *unfeigned Assent and Consent* to every Part of it; for all Doubts and Controversies about its Rights, Ceremonies, and Government, have been by that means extinguish'd.

The

The Insecurity or Infirmary of the Constitution in the State, ariseth from the Want of Uniformity in Mens Minds, and for want of the People's knowing it, and from their Disputations and Questions about what are, and what are not, the *Fundamental Parts* of the Constitution.

As to the Constitution in the Church of England; The Whole (since its Rescue from under the Dominion of Rome) seems to be comprised in the Book of *Common-Prayer*, or *Liturgy* of that Church, as to the *Agenda*, i. e. The Things to be done or observed in the Divine Worship and Service, and in its Discipline and Government.

As to the Doctrines or Credenda, (i. e. Things to be believed) Those seem to be epitomized or comprehended in the 39 Articles, and therefore need not to be here repeated; except only in Two Particulars:

1. The 20th of the 39 Articles being worded ambiguously, hath raised in the Protestant World some Controversies about *Church Authority*, an Explanation whereof would induce Peace and Unanimity: The Words are these, *The Church hath Power to Decree Rites and Ceremonies, and Authority in Controversies of Faith*: Thus far the Words are general and indefinite; and next follow Restrictions;

And yet the Church of England cannot **Decree** any Thing *contrary* to God's written Word;

Nor can **Expound** one Place of Scripture to be *repugnant* to another;

Nor can **Enforce** any Thing to be believed, as necessary to Salvation, *besides* God's written Word.

Now if nothing *contrary*, *nor repugnant*, nor *besides* the Scripture, can be **Decreed**, **Expounded**, or **Enforced** by the Church, where then doth the Authority reside, but in the Scripture, and not in any mortal or fallible Man or Men, altho' called the Church? And consequently the latter special Words being inconsistent, controul the general Sense of the former; and the rather, since the Disability of *Decreeing* is placed under the same Predicament with that of *Enforcing*, in these Words; *Yet as the Church ought not to Decree any thing against Holy Writ, so, besides the same, (or much less) ought it not to Enforce any thing to be believed for Necessity of Salvation.*

2. The other *Particular* is the different Expositions which the *Romanists* and *Protestants* have put upon some Texts of Scripture touching the **Credenda**, or Things to be believed; which makes it material to mention them.

The Texts are those where our Lord Jesus Christ was pleased to declare to his Disciples, *That whosoever Sins they remitted on Earth, should be remitted in Heaven*; which Words are general and indefinite.

The *Roman Church* expound these Words both in an unlimited and in a limited Sense, viz. *That the Objects of that absolving Power, being sinful Men, are unlimited without Distinction.*

But that Church hath expounded the same Words in another Part limited, viz. *That the Ministers who are to give Absolution are limited to one only of them* (meaning the *Bishop of Rome*); by which Exposition great Power and Treasures have been acquir'd by that Church.

The *Protestants* expound these Texts after the same manner, in an unlimited and in a limited Sense; but they invert the Limitation, viz. *That the Ministers authorized to absolve Sinners, are all God's Ministers of the Gospel*; and in that Sense the Words are unlimited.

But as to the Nature of the absolving Power; they argue, That it must necessarily be a comforting Power only, to declare to the People, *That if they believe and repent, their Sins shall be remitted*; which is a Power plainly limited, because our Lord Christ, when he gave the Power, did not give **Knowledge** adequate to the Exercise of an unlimited Power.

For if a mortal Man, subject to many Infirmities, cannot (for want of *Intuitive Knowledge*) distinguish between a true Penitent and an Hypocrite, he therefore cannot absolve any Man, lest he absolve a Hypocrite, because such an *Absolution* would be absurd, and inconsistent with his Ministerial Office, which is to persuade Men to repent, and in Times to come to live better; for no Man that has Money will ever live a reform'd Life, if he knows that *Absolution* depends not upon his Repentance, but upon the Minister's Favour and Inclinations. The Constitution in the Church of England hath therefore determin'd, *That God hath given Power and Commandment to his Ministers, to declare and pronounce to his People, being penitent, the Absolution and Remission of their Sins.* This Authority being therefore limited to the People being truly penitent, the Absolution remains with God, the omniscient Judge, who alone knows who are the true Penitents, and who the Hypocrites.

As to the Nature of those Securities which the Legislature hath provided to establish Uniformity, and to recognize and preserve the Constitution in the Church; the bare mentioning of them will demonstrate them to be exquisitely adapted, and, as such, to be effectual; viz.

By

By the Statute of *Uniformity* made 13 and 14 *Car. II. Cap. 4.* it is Enacted,

That the Book of *Common-Prayer*, as it was then altered and settled by the Convocation of both the Provinces of *Canterbury* and *York*, then sitting, and as the same was annexed to this Statute, should be **the Book** which should be used by all Ministers who officiate in Churches, Chapels, and other Places of publick Worship, and by all that make or consecrate Bishops, Priests, or Deacons.

It was also, for securing and recognizing such Uniformity, *Enacted*, That every Parson, who should obtain any Ecclesiastical Benefice or Promotion, should openly, publickly, and solemnly, before the Congregation, declare his **unfeigned Assent and Consent** to the Use of all Things in the said Book contain'd and prescrib'd, in these Words, and no other:

I A. B. hereby declare my unfeigned Assent and Consent to all and every Thing contained and prescribed in and by the Book, intituled, The Book of Common-Prayer, and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Use of the Church of England, together with the Psalter or Psalms of David, pointed as they are to be sung or said in Churches, and the Form or Manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons. Or in Default thereof, he shall Lose his Benefice or Promotion.

The *Uniformity* of the Church Constitution, and the solemn Recognition of its several Parts by this Statute provided, hath extirpated all Evasions, and pulled up by the Roots all Disputations and Questions about what is, or what is not, *Part* of that Constitution. There is now no varying or departing, nor drawing aside any Article; for if any beneficed Clergyman, after subscribing his *unfeigned Assent and Consent*, shall relapse, and, by Preaching or Printing, disown any Part of the Church Constitution, he, *ipso facto*, incurs an Incapacity to hold or enjoy his Church Promotion.

The Church Constitution hath received a great Addition of Strength by the Acts of Parliament made for completing the Union with *Scotland*; from which Security of the Constitution in the Church, an Argument may be drawn *à Notiori*, *That if the like Security were made for the State Constitution, it would be equally successful in pulling up by the Roots all Sedition, privy Conspiracies, Rebellion, and Party Distinctions.*

But as to the Constitution of the Kingdom in the State: The want of *Uniformity*, and the want of the certain Knowledge of it, and of what are, and what are not, real and fundamental Parts of it, hath made Controversies and Debates almost infinite, and as yet endless; which are at this Day manag'd with much Heat, but with little Success, towards a Conviction of either Side of the Disputants; for Men (and especially some Clergymen) frame in their Minds, and blow up as Bubbles, this or that *Position* in Government, crying it up as a Fundamental Part of the Constitution, and condemn all others that differ from them; and therefore,

2. **As to the Diversities** of Opinions touching the Constitution in the State, that render it infirm, and for that Reason makes *Uniformity* necessary: They may be affirmed to proceed from these Causes; *viz.*

1. From the *Contrariety* of those Notions which are warmly espoused by the Parties, vulgarly called the *High Party* and the *Low*; and which run thro' the whole Body of the People.

The want of this Uniformity was probably the Reason why the Body of the Church of *England* Men, soon after the Reformation, divided into Two Parties; one whereof hath been denominated the *High Party*, who retain'd the old Notions of the Church Power, Dominion, and Supremacy, above the King; and the other Party hath been (and are called) the *Low Party*, because they endeavour to keep the Churchmen lower than the King.

Let these Names therefore signify these Distinctions.

The *Low Party* of the Church of *England* Men are in their Inclinations rigid against Popery, and against Church Dominion above the King, or over their Fellow-subjects, jealous of the National Liberties, resolute for a Protestant Monarchy, and favourable to the Protestant Religion, as it is professed in the Protestant Churches of *Scotland* and *Holland*, and lately in the reformed Churches of *France*, before the *Persecution*, treating the Protestant Dissenters as Brethren, with an indulging and tolerating Temper, which makes those Dissenters list under this Party, and become, in Matters of State, their Seconds.

The *High Party* of the Church of *England* differ from the *Low*, in relation to the Church Power and Dominion, to the National Liberties, and to a Popish Monarchy; and have been unkind to the Protestant Dissenters, disowning any Affinity with them, as if they were not Protestants, and treating them with unfriendly Pressures, by Occasional
and

and Schism Bills; and moreover, they are zealous in turning the Edge of the Sacramental Test Act to depress Protestants, although the sole Intention of that Statute was to exclude *Roman Catholics* from Offices and Places of Trust, and to secure the Regal Administration from Popish Influences.

And yet notwithstanding these different Sentiments of Parties, whether *Preachers or Writers*, the Constitution is claimed to be on both Sides the Question, inasmuch that no other Word is so often distorted and bent to serve Occasions; for it is equally made use of to patronize *Arbitrary Power* and Slavery, on the one hand; and on the other, Licentiousness and *Rebellion*: This *Contrariety* of Notions therefore, in relation to the Constitution, shews the Necessity of introducing *Uniformity*.

2. As to those *Diversities* of Opinions touching the State Constitution, arising from the Struggles of that Party which aspires after Church *Power* and *Dominion*, and after Authorities to govern in Spiritual Matters by Canon Laws of their own making, in *Convocations*;

It may be remembered, that the Friends of the Pretender, who would *usurp* the Crown, deemed it necessary to acquire in *England* some one Party to be his sure Friends; and rightly judged, that his being a Papist was, in a Protestant Nation, a strong Objection, or rather an *Abomination*: Some of those Friends therefore proposed, that the Protestant Divines might be gained, if *Dominion and Authority* were offer'd, by placing in the Clergy of the National Church of *England* the same *Power, Dominion, and Authority*, as resided in *Popish* General Councils; others of them conceded and proposed, that the first Step which the Pretender ought to make, in his Way to *usurp* the Crown, would be to remit the first Fruits and Tenths, which the Pope formerly, and lately the King, exacted from the Clergy. This Proposition being agreed to, and promis'd, it was by Whispers, and by *Lesley's* Letters, convey'd to great Numbers of the Clergy; and they became so pleased with the Expectation, that in Times of greatest Danger in the late Wars, they behaved unconcernedly (except that they groaned when the Enemy received from our Armies any sensible Blow, and in contrary Conjunctions triumphed): But when the *Victories* in the Years 1704. and 1706. endangered the Downfall of the Pretender's Grand Friend the French King, a grievous *Dutery* was made, that the Church was in Danger (*i. e.* many of the Clergy were in Danger of losing the expected Church Power and Dominion): The Ministers of State therefore, in the Year 1706. advised Queen Anne to anticipate (as she did) the Pretender's Overtures, by granting the first Fruits and Tenths to augment the poor Livings of the inferior Clergy: But this did not answer the Design; for the Meaning was not to raise the inferior Clergy, but to make the rich Clergy richer, as the only Means to acquire Church Power and Dominion; and therefore the *High Party* continued restless and discontented.

The *High Party* of the Church was at this Time led under strong Delusions, to believe Things shocking and repugnant to common Understandings; (to wit) That a *Popish* King may be pinioned and restrained from being engaged in any Interest contrary to That of his Protestant People; That he may be brought to deny his Holy Father the Pope's Supremacy, and disobey and contemn his Decrees; That he will protect Protestants, and encourage and adhere to their Counsels, and will at the same Time obstruct the Growth of Popery, and discountenance and reject the Counsels of *Roman Catholics*; and that he may be in other Things, equally important, inconsistent with himself (*i. e.* That he may and will sincerely act as the Head of the Protestant Interest, and, as such, will enter heartily into such Alliances and Wars, as the Protestant Interest may call for and require, against *Popish* Encroachments): For which Reasons the *Roman Catholics* feed and nourish these delusive Imaginations, and list (not under, but) with this Party, and engage, as far as they are able, in Matters of State, on their Side, as *Seconds*.

Here it may be proper to shew the Nature of Church Canons, or the Canon Laws; which is, That Canons are Church Ordinances, declaring, That the Bishop of Rome hath Power to impose Laws on Emperors and Kings; That he is Judge of all Breaches of Treaty between Earthly Potentates, and of all Breaches of Faith between Supreme Governors and their Subjects; That he hath Power to dispense with the Obligation of all Oaths and Laws, and may, for Breach of these Church Canons or Decrees, thunder out Excommunications and Deprivations of Emperors and Kings, and absolve their Subjects from their Allegiance, &c. And this Usurpation of Church Power was so far extended, * That the Bishops and Clergy of the Church of England assumed a Power, in all Cases, (where the Bishop of Rome did not interpose) to make and remove Kings, and to dispose of the Allegiance of their Subjects; and accordingly the *Romish Legate* (who was an Englishman, and Bishop of Winchester) addressed them, in a Synod held at Winchester—in the Sixth Year of King Stephen's Reign,

* Tyrrell. 234. Malm. Histoire Nouvelle, L. 2. Hered. Right, 53.

Anno Domini 1141. with this Compliment, *Quod ad eorum Jus potissimum spectabat, Principem eligere, simulque ordinare* (i. e. *That the Bishops and Clergy of England had the chief Right to appoint and ordain Kings of England*). It can be no Surprize therefore, if some Clergymen, in these later Times, aspire after a Church Power and Dominion, that may bear, with that old Usurpation, some Resemblance; for doubtless this Pretence was the **Root** of that Notion, which the Clergy propagated, of the *Divine Right* of our Kings (meaning, That such of our Kings as obtained an Appointment or Confirmation from the Clergymen, must necessarily have a *Divine Right*, when that Right was derived from Divines).

This being the Case, the Constitution in the State hath, by the Powers challeng'd by Clergymen in their *Convocations*, and by their written Debates about that Matter, greatly suffer'd; and especially by Two Books, written by Two learned Authors amongst the Ecclesiastical Gentlemen. The First asserts the *King's Authority over Convocations*, and was written by an Author profoundly learned and indefatigable; for in that Book it is affirmed, *Page 84. That the King may prescribe to the Convocation what they shall debate about, and what not, and may alter or add to such Canons as they shall prepare for his Royal Assent*; both which Positions may probably be true, forasmuch as the Powers of the Convocation are secondary, and not original, and are, by the *Laws of the Land*, and by the *written Word of God*, circumscrib'd: But the Reason for such the King's *Authority*, is given by that Author in these extraordinary Words, *viz. For since the Legislative Power is lodg'd in the Hands of the King, he may make what Laws and Constitutions he thinks fit for the Church, as well as for the State.*

This Reason is of a surprising Nature; for the Reader must apprehend the Argument to be drawn *a Notiori*, i. e. That this Author judg'd it unquestionably plain and true, that the King's Power in the State is *Absolute and Unlimited*, *viz.* That he may uncontrollably make what *Laws* for the *State* he thinks fit; and by Parity of Reason, he may make what *Laws* for the *Church* he thinks fit; and if he may so do, he may *dispenſe with, or unmake or disannul* them when he thinks fit; *He may* prescribe to Parliaments what they shall, and what they shall not, proceed upon and debate; *He may*, in that Case, alter and add to such Bills, or Acts, or Draughts of Laws, as the Two Estates of Lords and Commons in Parliament assembled shall devise, and pass, and present for the Royal Assent; whereby the *whole Legislative Power* must centre in the King's Person singly. *This Sort of Reasoning* (if it were true) would justify all those Arbitrary Powers, which the Kings *Richard II. Charles I. and James II.* challenged and exercised over Parliaments, and over the *Laws of the Land*; and would condemn the Proceedings, which condemn'd King *James's* dispensing Power, and other Instances of his Misgovernment; and consequently this Assertion of that Author tends to *subvert* the Rights of the Two Estates of Lords and Commons in Parliament, and to *unfix* those Hereditary and Fundamental Privileges, which the Original Constitution hath fixed in Them.

This is made plain, forasmuch as the second Writer or Author, who wrote of the *Rights of the Convocation*, hath, in his *Preface* to that Book, charged the former Author expressly, That the Words of his Reason before-mention'd did give such an *unlimited Authority* to our Kings, as would overthrow the Constitution in the State; the *Injury* was apparent, and the first Writer could do no less, in Justice to the Constitution, than to make an Explanation.

But, in answer to the Charge, the former Author, in the Twelfth Page of his Preface to the Book, intitled, *The State of the Church*, instead of explaining, avow'd the Position, alledging, That he had asserted no more in that Point of the King's *Authority*, than our *Protestant Divines, Convocations, and Universities*, had ever since the Reformation maintained: And this Fact is unquestionably true; for it must be confessed, our *Protestant Divines, Convocations, and Universities*, have so maintain'd; but then it must be remembered, that that Doctrine and Position (*that a Legislative Power is lodg'd in the Hands of the King, to make what Laws for the State he thinks fit*) is not only groundless, but venomous; for from that bitter **Root** proceeded the assumed Powers in one Reign, to *impose* the Tax of *Shipmoney*, and other Pressures; and in another Reign, to *dispenſe with or disannul* all the Laws at once, which produc'd in one Century Two Revolutions; for either those Principles must be *exploded*, and the Arbitrary Superstructures built upon them *prostrated*, or the Constitution and Freedom of Britons must perish and be extinguish'd, nothing being more obvious, than that these erroneous Doctrines never fail'd to lead all such of our Kings as imbibed them, into miserable Mistakes and Calamities.

But then the first * Writer added to his Excuse for asserting no more than what the *Protestant Divines, Convocations, and Universities*, had maintain'd, *That it was his solemnly avowed Principle and Opinion, That the Constitution of our Government is an essentially limited Monarchy; in which Constitution the Laws of the Land are the Measures or Boundaries of the*

* Preface, Page 12.

King's Prerogative, and of the People's Rights, and that none of our Kings can exercise any Authority (i. e. that they have no Authority) contrary to those Laws. This Principle is doubtless authentick; but then it infers this Sort of Reasoning, That there can be no Laws without Legislators, nor a Constitution without Constituents; and that the Law which was able to limit the *Essence* of the Monarchy, must be prior in Time to the *Essence* so limited, because the Power that forms and limits an *Essence*, must necessarily have an Existence prior to that *Essence*, and consequently might have confined that *Essence* within narrower Limits. If this Sort of Reasoning be true, then this Declaration of this Author's avowed Principle contradicts, not only all the *Protestant Divines, Convocations, and Universities*, he appeals to, but is an honourable Confession, that washes off former Blemishes.

From this Manner of Reasoning may be inferr'd, That other *Essences* or *Beings* were formed at the same Time, to be *Coexistent* with the Monarchical; which Inference will naturally lead Men to conclude, that the Constitution and Mode of the *British* Government was formed and made to consist of *Three coexisting Estates*, in such Manner as the *Britannic Constitution* hath delineated; and that those *Three coexisting Estates* are not of *Divine*, but of *Human* Ordination.

However these contradictory Notions furnish Speculations and Questions, how and by what Means our *Protestant Divines*, since the Reformation, became more acute and learned in the *Political Authorities* of our Kings in Temporal Matters of State, and in the People's Obedience to mere supposed *Authorities*, than the *Divines* were before the Reformation.

But upon a Research it may be collected, That in Times when the Bishop of Rome disposed of Church Preferments, that Supreme Prelate would not, nor did prefer any to be Archbishops or Bishops, but such only as would vigorously support against our Kings his Prelatical Pretensions; and above all, the uncontrollable *Power of dispensing with Laws*: And for that Reason the substantial Parts of the Christian Religion were by the Popish Clergy sacrificed to that Prelate, in order to raise above all Potentates his Church Power and Supremacy, and by those Means to gain his Favour, and those Ecclesiastical Promotions: But when the *Romish* Usurpations were extirpated, and the Crown restored to those Dispositions, some of the *Protestant Divines* (as frail Men) erred, and addressed our Supreme Governors with Compliments, that the *Supremacy* which the Bishop of Rome had exercised in *dispensing* with Laws, was transferred to the Crown of *Great-Britain*.

These Controversies therefore have served to increase, in the State, *Diversities of Opinions*: For the *High Party* were not long since craftily taught to drink Healths to the Church and the Queen, (*Anne*) setting the Church above the Queen; and to cry, The higher the Church, (meaning Church Power and Dominion) the better.

In Opposition to which, the *Low Party* drank Healths to the Queen and the Church, meaning to keep the Churchmen lower than the Queen.

But great Numbers of the Clergy, having couch'd their Meaning in Words of a *double Entendre*, disclosed to their Friends, that they did not mean a Church made with Hands, or built with Stones; but the *Church* they meant, was a *Church* composed of Bishops, Priests, and Deacons, who should, in their Convocations, have *Authority* to govern the Laity, by Canon Laws of their own making, as in antient Times, before the Reformation, had been *accustom'd*.

The *Low Party* of the Church of *England*, and their Seconds, have in all Times espoused and contended for the *Form* of Government, as it is describ'd in the *Britannic Constitution*: But the *High Party* and their Assistants disown and condemn the most *material Parts* of that Description.

For the *High Party* strenuously assert, That that Part of the State Constitution which allows the *Disturbance* of Arbitrary Power, is inconsistent with the *Protestant Constitution* in the Church, in regard the University of *Oxford*, by their Decree of 1683. adjudged and determined, that *Absolute Obedience to Arbitrary Power* is the *Characteristick* Doctrine or Principle of the Church of *England*, as if the *State Constitution* were over-ruled, and the old *Magna Charta* of the National Freedom and Liberties were controuled and disannulled, by the *Protestant Church Constitution*; for a famous Preacher, by the Advice of his Counsel, defended his criminal Treatment of the State Constitution, by giving in Evidence to justify that Treatment, this Decree of that learned University. These inconsistent Notions therefore call as loudly for a Reformation and Uniformity, as the *Popish Errors* did in old Times.

3. As to the *Diversities* of Mens Notions of the Constitution in this Kingdom, proceeding from Discourses that handle the Constitution, as a Point of State, *Casuistically*;

It may be asserted, That the great Pains some Gentlemen of the Ecclesiastical Order take, when they handle the Nature of the *British* Government *Casuistically*, have produced much Variety of Opinions, because they vary and depart from our Human Constitution, and ground

ground their Schemes upon some Texts of Scripture, either in the Old Testament, relating to the *Jewish* Kings, or else in the New Testament, relating to the *Roman* Emperors (both which Sorts of Supreme Governors were *Arbitrary and Absolute*); and lay out all their Learning and Pains to assimilate our *Kings*, and their *Authorities*, to those *Arbitrary* Kings; and *Britons*, and their Condition, either to that of the *Jews*, or to that of the *Romans*, (after those People had made their Emperors *Absolute*, and themselves *Slaves*) asserting, That all Kings are of **God's immediate Appointment**, because one Scripture saith, *That the Powers that are, are ordained of God, and he that resisteth the Power, resisteth the Ordinance of God, and that Rulers are Ministers of God for good*. Now Ecclesiastical *Casuits* from these Words raise extraordinary Conclusions, viz. That Kings, being Rulers, have great Powers: *Ergo*, Kings, and their Powers, are the *immediate Ordinance and Appointment of God*. But these Arguments *contradict*, not only the Matters of Fact, but rebel against the *Church*; for the *Church* hath decreed, That one Place of Scripture cannot be expounded to be repugnant to another. Now another Scripture saith, *Submit yourselves to every Ordinance of Man, whether it be to the King, as Supreme, or unto Governors (i. e. Magistrates) sent by him*: But these Scriptures, whereof one says Kings (as Rulers) are *ordained of God*, and the other, which says Kings (as Rulers) are the *Ordinance of Man*, are not repugnant, because God, being the *primary Cause* of all Things, hath made secondary Causes, and causeth his providential Designs to be by those Second Causes effected and accomplish'd.

And therefore these Questions, whether *Kingly Authorities* are derived immediately from *Heaven*, or from *Human Ordinances*, may be resolved and cleared, by such Questions as the *Divine Master* of all Knowledge demanded of the *Jewish* Priests, who endeavour'd to ensnare him: viz. The Baptism of *John*, Whence was it? From *Heaven* or of *Men*? Which they declin'd to answer; from which Question may be inferr'd this infallible Truth, That *Institutions* are of Two Sorts, viz. *Divine* Institutions, and *Human* Institutions, or else the Prince of Wisdom would not have asked that Question: ~~Wherefore~~ it may be demanded of these *Casuits*; the Salique Law in *France*, which limits the Succession of that Crown to the *Heirs Male*, and excludes the Proximity of Blood in the *Females*, Whence was it? From *Heaven* or of *Men*? So the King of *Poland's* Ordination, Whence is it? From *Heaven*, or by the Election of that People? The *States* of *Holland*, who are the Rulers of that Nation, Whence is their Authority? From *Heaven*, or from the *Human Laws* of that Country? The **Supreme Power** of making Laws for the Government of *Britain* being lodg'd in the Parliament, consisting of the Three Estates of King, Lords, and Commons, Whence is their *Ordination and Authority*? From *Heaven* or of *Men*? And the Laws by them made, Whether are they *Divine* or *Human Laws*? The Protestant Succession to the Crown, Whence was it? From *Heaven*, or by the Constitution, and the *Human Appointment*, made by the Statute for further Limitation of the Crown?

People of mean Capacities may answer all these Questions; for all these Things were unquestionably effected by *Human Means*, or second Causes; and it is hoped, that Answer may convince and settle the modern *Casuits*; but it must be always own'd, That *Human Policy* is a *Branch of the Divine Wisdom*, and that God hath given it to the Nations in different Proportions: To *Britons* he gave a greater Propensity to *Liberty* than to the *Jews*, and gave them rational Faculties to form such a Government as should secure and protect that *Liberty*; and accordingly *Britons* framed the *Constitution*, to consist of Three Estates, of King, Lords, and Commons, and appointed to each of them distinct *Authorities* and *Privileges*; their Institutions and Laws therefore must necessarily be of *Human Appointment*, and the Two Estates of Lords and Commons can never be said to be of *Divine Appointment*, neither can *British* Laws be said to be *Divine Laws*; and if so, how can the *regal* or principal Estate, which is also a *Part of the Human Constitution*, be of *Divine Appointment*?

It may therefore be concluded, that *Casuits*, who depart from the Constitution, and from *human Laws*, and address our Kings with Titles that are imaginary, and can never be proved, ought to be suspected and treated as Men of insincere Purposes.

If our *Casuistical* Gentlemen would act the fair Part, and teach the People, that the *Powers* meant in the New Testament, are those *Powers* which reside in Earthly Governments, and that the several *Forms* of Earthly Governments are *human Ordinances*, and that our Constitution is (as it really is) an excellent *Form* of Government, and that our *Monarchy* is the most excellent *Part* of that Constitution: And that from the Excellency of its *Form*, it may be inferr'd, that God, by his *Divine Influence*, guided *Britons* in its Formation, making Men yield insensibly to what He, in his eternal Mind, had ordained; and in that Sense, our Kings, and our Constitution, according to which, they are to govern, may both be accounted, in some Sort, of *Divine Appointment*, without diminishing the Nature or Efficacy of *Human Institutions* or *Appointments*; and in that Sense their *casuistical* Discourses, when preached, might be heard with Attention, and their Writings read with Commendation.

But

But since this Sort of fair Dealing is never to be expected, *Necessity* requires that those who have the Power, should reduce this Sort of Discourses to Uniformity, and should prevent Diversities of Opinions, and unfair Representations.

4. As to the Variety of Opinions arising from the erroneous and untrue Positions published in a celebrated Book, intituled, *The Hereditary Right of the Crown of England asserted, and the English Constitution vindicated*;

It was the general Opinion, that this Book was composed by the most learned of the Party; it was published with an *Eclat* in the Year 1713. and usher'd into the World with Marks of Distinction, and publick Countenance; it was recommended, cry'd up, and dispersed with Industry, as their united and ultimate Performance, to assist the Pretender, in usurping the Crown, at a Time when *Measures* were upon the Anvil in his Favour; by which, if they had had a little longer Time to ripen, the House of Hanover had been, in all human Probability, blotted out of the Succession. This Book had the Encouragement of the Allowance of a principal Secretary, to be advertised as a Matter of State, in the *London Gazette*, and many Copies of it were given, by Men in Power, Gratis; but above all, this Book was bound up in a pompous Manner, and by Mr. *Nelson*, presented to Queen Anne, who accepted it with distinguishing Grace and Liberality, suitable to a Service seasonably done for that Person, who wanted Assistance in his intended Usurpation, and against whom all Motions, Parliamentary Addresses, and other *Efforts*, to remove him out of *Lorrain*, proved not only weak and fruitless, but were looked upon and treated as vexing and rude Applications: But when the *Writ of Summons* to call his Highness the Duke of Cambridge, to his Seat in Parliament, was demanded, which was a Right that could not be deny'd, the ripe and victorious Danger was precipitated and made abortive.

The Care and Politeness in the Style of this Writer render'd him so unguarded, that some true Principles, and *Maxims of State*, crept in, and convey'd themselves unawares into the Work before its Conclusion; viz. That a People (such as the *Roman People*) may be Proprietors of their own Liberties, and may have them intirely at their own Disposal; that the *Roman People*, by a Law of their own making, called *Lex Regia*, parted with their Liberties, and gave an arbitrary Power, absolute from, and above all Laws, to their Emperors, first to *Augustus Cæsar*, and after him to *Tiberius*. This Admission is as full as can be desired, That the People were the Constituents of the *Roman Emperors Absolute Authority*: The People therefore had Power to give that Authority; for no Man (as this Writer with great Truth alledges) can give that Power, or that Money, to another, which he had not himself; and yet there are not wanting some Instances of such ridiculous Attempts; for the *Bishop of Rome* presumed to dispose of Kingdoms and Countries, which were not *His* to give. This Writer further admits, that the *British People* have a Right and Power (whenever there happens to be an utter Extinction of the Royal Family) to elect and institute a new King to succeed their former Monarchs; which Concession is doubtless just, because in such a Case, there can be no other Power on Earth that can reinstitute the Monarchy, or impose on *Britons* a new King: And as to Miracles from Heaven, to form or institute a new Monarchy, none such could (especially in Times of Paganism) be expected; for the *British People* would, in such a Case, be (equally with the *Roman People*) Proprietors of their own Freedom, and would have, equally with them, the intire Power to dispose of their own Liberties: And therefore this Author's Concessions do necessarily infer a Power in the People, in the Beginning of Government, to make an Original Contract or Agreement with their First Monarch, and to impose on his Government such a Form, and upon the Succession to the Crown after him, such Limitations, as the People should chuse and judge most convenient: And if such a Supposition may, in the latter Case, of an utter Failure and Extinction, be admitted, as possible and reasonable, Why may it not be as reasonable to presume, that in the Beginning, when this Monarchy was at first form'd and constituted, an Original Contract between King and People was made an essential Part of the Constitution, especially since constant Usage, down to this Time, hath verified that Presumption?

As to the Constitution,

This Writer, in Vindication of it, (as he pretends) hath advanced these Two Positions; viz.

1. That the Three Estates of the Realm are all of them composed of Subjects; That the *Lords Spiritual* are One of those Three Estates; that those Three Estates are, in their highest Capacities, but the People's Representatives or Plenipotentiaries (and this last Position is doubtless true): And as to the *Commons*; these learned Writers condescend to allow their Assent to the making Laws, to be absolutely necessary; but as to the *Lords*, they will allow them no more than to be the greatest of the Subjects, but spare to assign them

them any Fundamental Powers or Privileges ; from which the Inference is plain and strong, that the *King* (according to them) is *not one* of the Three Estates.

2. *This Writer* elaborately endeavour'd to divide the Monarchy, by a Distinction between *Monarchs* whom he supposeth to be *De Facto*, and *Monarchs* whom he supposeth to be *De Jure* ; and that their Authority is of a different Nature, viz. That *Statutes* or Laws made in the Times of *Monarchs* supposed to be *De Jure*, do bind effectually such succeeding *Monarchs* as are supposed to be only *De Facto* ; but that the *Statutes* or Laws made in the Times of such *Monarchs* (as those Writers call *Kings De Facto*) are voidable, (as they would have it) and depend on Will and Pleasure ; viz. That a succeeding *Monarch*, supposed to be *De Jure*, may, by his own single Authority, declare them *void*, without resorting to the Formality of *assembling a Parliament*, or to have their Concurrence in such an Emanation of their Authority ; which Two Positions are notoriously inconsistent with the true Constitution.

As to the Succession,

This Writer asserts, That the *Hereditary Right* of the Succession to the Crown of *England*, is grounded upon antient *Prescription*, which, in Law, is the same thing as common and constant *Usage* in a direct Line (*i. e.* That every King who first *accedes* to the Crown, ought to be *Hæres Natus*, *i. e.* born Heir to the Crown) ; but the numerous Instances of a contrary Usage of *Successions*, introduced by the Two Estates of *Lords* and *Commons*, have disproved that supposed *Prescription* ; and therefore when this Writer's supposed *Prescription*, and the *British Law*, failed him, he called to his Assistance *Foreign Laws*, asserting, that such Kings as wanted an *Hereditary Right*, yet if they had a *Right* either by a *Donation* by Deed or Will made by their Predecessors, or could procure a subsequent *Cession*, (from the next Heir) although by Force and Violence, such Kings ought to be, according to the *Foreign Imperial Law*, accounted *Hæres Facti*, (*i. e.* adopted or substituted Heirs) and that such an adventitious Title makes them *Hereditary Kings* ; which is the same thing as to say, *Successions* by *Hereditary Descent*, and *Successions* by other Institutions, are equally good and lawful ; and if this were the Author's true Meaning, there could be no Occasion to differ with him.

But having forgot these Concessions, he started back, and peremptorily affirms, That *Precedents*, in the Determination of Rights, are of no Value ; to which it may be answer'd, That it must be admitted, that *Precedents* will not make a Law ; but yet they are a strong Evidence to prove what the Law is, against bare Presumptions ; and they are, moreover, the very Materials of which a *Prescription* is composed : And therefore by denying the Use of *Precedents*, he cuts up at the Root his own supposed *Prescription*.

But without Breach of good Manners, those assuming Writers may be charged with *Insincerity*, as well as *Ignorance* ; for,

As to the Constitution,

That Constructure of Government, instead of being vindicated, is undermin'd and subverted by their Insinuations ; for what Person can be so ignorant of the true *British Constitution*, as not to know, that the *Lords Spiritual* are not One of the Three Estates, or not to know who are the Three Estates of the Kingdom, in whom the supreme Power of making and altering Laws is vested ? And,

As to the Hereditary Right,

The whole Force and Strength of these Writers supposed *Prescription* subsists upon this presumptive Position, that there was antiently, in the Commencement of this Government, some one King, who had in himself such an Estate, or Property, or Inheritance in the Crown and Government, as must of Necessity descend to his next Lineal Heirs, issuing from the Body of that first and original Proprietor and Supreme Governor ; and that this Position is proved, or may be proved, by antient *Prescription* (*i. e.* by a constant and peaceable Usage down to this Time).

But when the Author came to exhibit his *Proofs* of that *Prescription*, he could not name one antient King that first acceded to the Crown by *Hereditary Descent* from his Predecessors ; for the most antient he names, are *Edward the Confessor*, *William the Conqueror*, *William Rufus*, *Henry I. King Stephen*, *Henry II. King John*, and *Henry III.* but not one of those his eight first Kings did at first accede to the Crown by *Hereditary Right*, or Lineal Descent, but succeeded thereto by other Titles ; and after them the Lineal *Hereditary Descent* was, before the Revolution in 1688. interrupted in the Six Persons of the Kings
Edward

Edward III. Henry IV. Henry V. Henry VI. Edward IV. and Henry VII. So that these Fourteen Instances, being more *numerous* than the Successions that took Place by Hereditary Descent from their next Predecessors, totally *disproved* this Writer's supposed *Description*.

This Disproof therefore drove the Writer of this Book to the Necessity of aiding and supporting the Titles of those eight first Kings with Testamentary *Donations, Cessions* of next Heirs, and such-like Remedies; which makes his *presumptive* Commencement of his original *Hereditary Right* inconsistent, and even *Felo de Se*; for if those eight first Kings did at first *accede* to the Crown by those supposed Titles, then they did not succeed thereto by Hereditary *Right* or Descent.

As to those Kings who did *accede* to the Crown by Descent, from their next Predecessors; it is apparent they succeeded to the *Possession* of the Government, as Heirs by Lineal Descent, from their next immediate Predecessors; but it can never be said they *succeeded* by Hereditary *Right*; for how could they derive an Hereditary *Right* from their next Predecessors, who had none themselves?

This Author affirmed, That the Parliaments of King *Edward IV.* (whom he will have to be a *King de Jure*) did not own the Legislative Authority of his Predecessors the Three *Henries IV. V. and VI.* And being then asked, *How then* came the Two Estates of Lords and Commons to oppose and defeat the Motions made in Parliament — That the publick Acts of Parliament, passed in the Times of those Three *Henries*, should be *confirmed or disparaged* by a Confirmation; and for that Reason those Laws were not confirmed, and yet continued in full Force? *This Author*, with the magisterial Air of a Great Writer, says, This was a Question he was not bound to answer; which infers a Concession, that if he had given the true Answer, as it is given in the *Britannic Constitution*, it would have tumbled down all his Composure.

As to Insincerity,

This Author was notoriously culpable, not only for imposing on the World a *Constitution* which he knew to be untrue, but for his wilful concealing and omitting to represent to his Readers the Nature of the *Kingly Office*, or the Trusts reposed in our Supreme Governors, or the Forms of Law incumbent to be observed in their Administration, or to state the *Hereditary Rights and Privileges* of the People, vested in their Representatives, the *Two Estates* of Lords and Commons in Parliament assembled; all which are not only material but *essential* Parts of the *Britannic Constitution*, and therefore ought in such an Undertaking to have been fairly stated and demonstrated.

For if these Authors had honestly represented those Matters, their Readers might have framed in their Minds just Ideas of the *Breaches* of these Constitutions. and of the Justice or Injustice of those antient, numerous, and bloody *Wars and Struggles*, that became necessary to rescue and vindicate the Fundamental Parts of this Form of Government.

But it happen'd, (as it often does) this Writer's Eye being fix'd attentively on one Object, all other Objects were therefore either not seen at all, or not regarded; and having his own *System* directly in his Eye, he observed what was (as he thought) fit for his Purpose, and what was not, he overlook'd; for the Materials he collected he rounded, and smoothed, and shap'd them by his own Glosses, to persuade his Readers, That *no Endeavours to subvert* the Fundamental Form of Government, *no Violation of the Laws, nor Deprivation of the People's Hereditary Rights and Liberties, nor the tyrannical Exercise of Government*, could be a sufficient *Cause or Evidence* of an Abdication, or of a *Vacancy* of the Throne; and from thence to assert and conclude, That the *Proceeding* of the Two Estates of Lords and Commons, at the Revolution in 1688. was not lawful, *nor King William III.* lawfully placed in the Throne and Government, and consequently, that although King *James II.* had misgovern'd, and vacated the Throne, and withdrawn himself out of the Kingdom, whereby the People could have no Government, nor no Protection, yet Allegiance to him, as King, still continued.

And in Pursuit of this End, this Writer hath bestow'd many Pages in describing the *Accession* of King *James I.* to the Crown of *England*, and rely'd much upon the violent Expressions of the Statute recognizing his Title, whereby the Two Houses of Lords and Commons acknowledg'd, That his Right to the Crown was by inherent Birth-right, as sole Heir of the Blood Royal; and that therefore they obliged themselves, their Heirs and Posterities for ever, to submit to and obey that King, and his Royal Progeny and Posterity for ever.

And thereupon this Writer hath rejoiced greatly in those ample Declarations, and hath affirm'd, That the Words are *comprehensive*; that the Two Houses of Lords and Commons could not bind themselves more strongly to that King, their Heirs to his Heirs, their Posterity to his Posterity for ever, than they did by that Recognition; that they made the *Hereditary*

ditary Right, and the Obligation of the Subjects to it, as far as they were able, *immutable* and eternal; and that the Right to the Crown was to descend, by that Law, to that King's Heirs for ever: And therefore he concludes, that this Act of Parliament made an **Original Contract** with this first King of the Royal Line of the *Stuarts*, and with his Posterity, for this single Reason, because that Parliament *represented* the whole Body of the Nation, and did therefore oblige the *whole People*, and their Heirs for ever, to the Heirs of this King for ever.

This Writer was miserably mistaken in the Nature of a *Contract*; for a *Contract* doth naturally import something to be reciprocally done by each of the *contracting* Parties, to or for the other of them; but here is nothing stipulated by this Act to be done on the Part of the Heirs of this King, and therefore this Act imported no more than a voluntary Declaration and Promise on one Part, without any thing to be done or contracted to be done on the other: *But* the plain and genuine Meaning of that Recognition was, and could be no other, than that such Heirs of this King as should make the Constitution the Rule of their Government, should be, and they only should be, the *Objects* intitled to the Submission and Obedience here promised.

This Writer hath also taken much Pains to expose the last Will and Testament of King Henry VIII. whereby he disinherited (as far as he could) the elder House of *Stuarts*, descended from his eldest Sister *Margaret* the Queen of *Scots*, and entail'd the Crown successively on his Two Nieces *Frances* and *Eleanor*, the Daughters of his Second Sister *Mary* the French Queen, by her Second Husband *Charles Brandon*, Duke of *Suffolk*, in Remainder, and to be next in Succession, after Failure of the Issue of his own Three Children, King *Edward VI.* and the Queens *Mary* and *Elizabeth*: Which Will and Testamentary Disposition of the Crown was made by King Henry VIII. by Pretext and Colour of an Act of Parliament in that Behalf made to enable him so to do: But these Labours of the Author were (as he acknowledges) undertaken for no other Reason, and with no other View, than to introduce this specious and untrue Observation, That all the Parliamentary Settlements of the Succession to the Crown were, in Law, *void*, and had proved *ineffectual*, forasmuch as King *James I.* did, as Heir by Hereditary Right and Lineal Descent, succeed in Peace and Quietness to the Crown of *England*, in direct Opposition to the younger House of *Suffolk*, on which King Henry VIII. had by his Will settled the Succession; and upon that Foundation this Writer raised Arguments which had in them great Ostentation, but no Solidity.

But this Writer was too partial to his own Performance; for the Statute of the 28th of Henry VIII. Cap. 7. which delegated over to King Henry VIII. a *Legislative Power* to dispose of the Succession to the Crown and Government as he thought fit, was always looked upon as a *Breach* of the Constitution, which was the true Reason why that Testamentary Settlement was deemed invalid, and, as such, was disregarded: But now it is evident, even to those learned and judicious Writers, That the Succession to this Crown and Government, limited to the Heirs in the Protestant Line by Act of Parliament, hath not only happily taken Place in Peace and Quietness, in direct Opposition to the fictitious Notions of these *Hereditary Writers*, but is as strongly fixed as the *Britannic Constitution* itself is fixed, and is to have a Continuance parallel with it; and that it is not doubted but that that Duration will reach to the End of Time.

However, notwithstanding the Inconsistencies heaped together by this Author, his Book of *Hereditary Right* hath been idoliz'd, as a precious Magazine of this Sort of Learning, and as such it is found sumptuously bound up and placed amongst the most valuable Books in the Libraries of many Gentlemen; which is a strong Evidence, that these Debates and Controversies have been, and yet are, by those Labours, nursed and increased.

5. As to the Contrariety of Mens Opinions touching the State Constitution, arising from the artful and blemishing Account that is given of the National Proceedings before, and at, and after the Revolution in the Year 1688. by the Writer of the Two Histories, the one called *The History of England*, and the other *The History of the Revolution*; the former printed in the Year 1720. and dedicated to his Majesty King *George I.* and the latter printed in the Year 1725. being a Time when it was publicly known the Pretender's Emissaries were soliciting his Cause in several Courts of *Europe*:

This Historian, subsequent to all the former Batteries of the Constitution, and with full Notice of them, hath contributed his Assistance, and liberally illustrated the Sentiments of the High Party of the Church of *England*, and particularly their secret Recoilings and Disparagements of those Proceedings, and consequently of the Actors of them, and most especially of those Rights which are derived from those Proceedings.

For in his *History of England*, Page 1135. he, in a pompous Train of Words, touching the Proceedings at that critical Juncture, hath asserted, (not by way of Hypothesis, but positively) That although King *James II's* Power was at an End in *England*, when he finally departed from that Kingdom, yet his Title (*i. e.* his Right to govern and command) was

still in *Being*, and so continu'd till it was formally determin'd by the *Powers* of the Nation, and by the solemn placing in the Throne the Prince and Princess of *Orange*; which Space of Time, wherein King *James's Title* (according to this Historian) continu'd in *Being*, extended from the 11th of *December* till the 13th of *February* 1688. being Nine Weeks.

And yet the Reverend Historian, just before those Words, says, that Space of Time was an *actual and real Inter-regnum*, (i. e. a real Defect or Vacancy of Government, or a Time when there was no Government at all in *Being*) a Thing altogether *unknown* (as he pretends) to the *English Nation*, and *establish'd Constitution*: But how this *Inter-regnum*, or real Vacancy, could be, if King *James's Title* did, after his final Departure, continue in *Being*, (i. e. That he continued King or Governor during all those Nine Weeks) *no Man* besides himself can demonstrate or reconcile, *without* asserting, That an *actual and real Vacancy of Government*, or not governing at all, and a *Right* to govern, are of one *Essence*, and can coexist together, as one *Being*; which is the same monstrous Contradiction, as to say, that Nothing and Something are the same *Being*.

In these Assertions the Historian hath contradicted, not only the Resolution and Judgment of the Two Estates of Lords and Commons, in the Abdication Vote, declaring, That there was a Vacancy of the Throne, and no Government in *Being*, but also the very express Words of the Statute of 1^o *Will. & Mar. Cap. 4.* the Authority whereof might have restrain'd this Historian (who knew all this) from using that Presumption.

This Historian's overweening Confidence appears perspicuous, in his asserting, That the *Inter-regnum*, or Vacancy of Government for Nine Weeks, was altogether *unknown* to the *English Nation*, and to the *establish'd Constitution*; which infers, as if he enough knew the *Constitution*, and the Establishment of it. And yet,

As to the Words *unknown to the English Nation*; it is evident the same are grossly untrue, in regard it is well known, (and the Historian knew) that there was an *Inter-regnum* between the Death of *William* the Conqueror, and the placing of his Second Son *William Rufus* in the Throne; and between his Death, and the placing in the Throne *Henry I.* and between his Death, and the placing King *Stephen* in the Throne; and between the Death of King *Richard I.* and the placing in the Throne King *John*; and in the Cases of the Abdications made by the Kings *Edward II. Richard II. and Henry VI.* before their respective Successors were placed in the Government: For in the Three last Cases there could not be Two *Rights subsisting*, viz. a Right to command, and a Right to disobey, at one and the same time.

And as to the Words *unknown to the establish'd Constitution*, it may be pregnantly collected from his History, that, notwithstanding his Assumption to know the *establish'd Constitution*, he is a Stranger to the Nature and Terms of it; for this Historian, when he wrote the History of the Revolution in the Year 1688. printed in Octavo, was aptly led to take a View of the Constitution, and of the whole Compass of it: And yet in the History of *England* he relates, That at the Restoration in 1660. the *Constitution* was miserably broken and distorted; and that therefore the then Parliament, which he calls a *Healing and Blessed Parliament*, (and at first a noble Assembly) apply'd themselves to repair its shatter'd and consumptive Condition; and for that End they in several Sessions deliberately and considerately devised and made Six several Statutes, whereby they declared, That both, or either Houses of Parliament, have not any *coercive Power* over the Persons of the Kings of this Realm, nor may take up Arms, nor raise or levy War, upon any Pretence whatsoever, (although it be to defend themselves) against the King, and especially that they may not take up Arms by the King's Authority against his Person, and against those commission'd by him; and that the sole *Power, Command, and Disposition* of the *Militia*, is, and ever was, the *Right* of the King.

The Historian calls these Laws a settled Constitution, and strengthening Acts, contrived for the Security of the Crown; and that they were made with the most pacifick Intention, and were of singular Benefit to the publick Quiet.

In Answer to which it must be own'd, That more strong and comprehensive Words, to subvert the original Form of Government, to destroy the old *Magna Charta*, to part with the National Freedom, and to corrupt and mortify the Body Politick, could not be devised or framed in so small a Compass, by Enemies of the Constitution in this Kingdom.

For the King was left free to make War, and commission others to make War, or to command the *Militia* to make War, upon his own People; but the People were pinion'd down from defending themselves by Arms or War, against such an offensive War made by such a warring King, or those commission'd by him; which, by a necessary Implication, maim'd the Fundamental Constitution, and laid a free People at the Mercy of the Crown; for no Man can be said to have Liberties or Properties, that may not defend them, and himself from being deprived of them.

If that Parliament had advanced one Step further, and enacted, That the King, like the Grand Seigneur, should be Heir to the Lands and Goods of every Man at his Death, they had finish'd that *Mahometan Scheme* which they commenced.

The Historian (with great Truth) writes, That by this new Constitution in Government, the Minds of the People, and especially of the Clergy, were distracted and perplexed; for from those Positions the Clergy espoused, and vehemently preached and urged, That the express Words of these positive Acts of Parliament, and of the Church Homilies, were *undeniably true*; and that the Doctrines of Passive Obedience without Reserve, and unlimited Non-resistance, were therefore *equally true*; for those Acts or Homilies are indefinite, and admitted of no Exceptions: But those undistinguishing Preachers were either very ignorant, or very insincere; for if they did not know, that this Manner of Preaching was in Effect to tell their Hearers, that none of them had either *Freeholds, Liberties, or Properties*, they were very ignorant, because no Man can have a *Freehold, Liberty, or Property*, if another Man may, at his Will or Pleasure, deprive him of them: And if they were learned enough to know that Consequence, those Preachers were very *insincere*, in concealing and not explaining so much to their Congregations.

But when the People found, that those Arms and Powers which the Parliament (*styled the Healing and Blessed Parliament*) had disclaimed and parted with, were like to be turned against themselves, they inquired into the Authorities of that House of Commons, which had pinion'd and enslav'd their Electors, and made Distinctions, and put exempt Cases: They insisted, that by the true Construction of those Acts of Parliament, the Obligations ought to be reciprocal; (to wit) that as *both or either Houses of Parliament*, had not any coercive Power over the Persons of the Kings of this Realm; *so neither had the King* any coercive Power over both or either Houses of Parliament: And also *that as both or either Houses of Parliament* could not, nor ought to take up Arms, or raise or levy War against the King, or those commission'd by him; *so neither* could or ought the King to take up Arms, or to raise or levy War against both or either Houses of Parliament; which is the plain Sense of the Act of Oblivion: And the People also argued, That the keeping on Foot *standing Forces*, without the Consent of Parliament, was a taking up Arms, and levying War, against the Two Estates of Lords and Commons, because such *standing Forces* (as were encamped on Hounslow Heath) had a Power over the *unarm'd Lords and Commons*; against which Force they had nothing to oppose: And many other Cases were put and supposed, which engaged the People in endless Disputes, not yet decided; neither is the Historian's own Opinion (as can be perceived) yet fixed or settled.

The Historian, being a Clergyman, hath, in the very exempt Case he put, where a Man may (as he admits) take up Arms against those commission'd by the King, discover'd his *erroneous* Notions of the *Britannic Constitution*; for he writes, that the People in these Disputes propos'd a remarkable Instance, (*viz.*) If on a Suit of Law with a great Favourite, a Person recovers his Right to a House and Lands, and by a Course of Law be put into Possession by the Sheriff, and afterwards the Favourite obtain an Order for some Soldiers of the standing Army to retake the Possession, and deliver it back; in such Case the Man in Possession may justify the Defence of himself, by killing those who forcibly endeavour to enter his House: Here the Party, whose House is invaded, takes up Arms (as the Historian writes) by the King's ~~own~~ Authority, against those commission'd by him. In like manner, if the Soldiers had been commission'd to defend the House against the Sheriff, and his Posse of the County, when he went to take and deliver Possession to the Person who had recover'd his Right, *no Commission* of the King's could put a Stop to the Sheriff, who had in this Case the King's Authority in raising the Posse of the County to put the Law in Execution.

Here the *Historian* mistakes both the Constitution, and the true Sense of the Word *Authority*; for whenever a Man derives *Authority* from the King only, his Majesty may countermand and controul that Authority; but the *Authority* which a Man hath to defend his lawful Possession of his House, is given him (not by the King, but) by the Constitution, and the Law of the Land, which hath no *Controuler*: So the *Authority* of the Sheriff to raise the Posse is given (not by the King, but) by the Constitution; for although the *Writ of Execution* was in the King's Name, yet the King doth not make, but execute the Law: Neither can the King controul the Command given by the Writ, because the real and authoritative Command is derived from the Law in the Name of the King, and to countermand that Command, would be to deny Justice, and to annihilate the Government. Therefore when the King *commissions* a Man to break the Law, or to controul the Law, or to do a thing apparently unlawful, the *Commission* is null and void, and the *Commissioner* may, by *Authority* of the Law, be resisted; which proves that the Historian who wrote so *familiarly* of the Constitution, was very much unacquainted with it.

In this Place it may be with Modesty asserted, That the true Design of making those Six Acts of Parliament, soon after the Restoration, was to brighten the Character of King Charles I. and to raise and create a venerable Opinion of his Person and Government, and to blacken the leading Men in the Parliament of 1640. and their Proceedings, as Disturbers of that King's good Government: But this Design met with Two Difficulties;

First,

First, It stood acknowledg'd by the Admissions of that King himself, that he very well ~~know~~, and understood, and even defin'd, the true Fundamental Form of the Constitution and Government; and that he had nevertheless, *before* that Parliament, **departed** from the known Laws, to an arbitrary Power; and that the People had borne great *Pressures and Sufferings by him*, during the long Intermissions of Parliaments; to which may be added, That the Writer of the Book, call'd *The Hereditary Right*, positively asserted, that his Majesty did nothing of that Nature (meaning making his said Admissions) without the Advice and Consent of his Council, of which the Bishops constantly made a weighty Part.

Secondly, The many excellent Laws for rescuing the Constitution, and for reforming this King's *erroneous* Manner of Government, in the Cases of Shipmoney, the High Commission Court, the Star Chamber, the Council Table, the Order of Knighthood, the Forests, the Stannaries, and the Clerk of the Market, which the Parliament of 1640. had obtained, and which stood in high Veneration, could never be expected to be repealed; for if those Laws had not been obtain'd, the People had continued in the same Predicament of Servitude, under which they had long labour'd, and under which the People in the neighbouring Nations still languish; and for those Reasons King Charles I. could not be directly *commended*, neither could the Leaders in that Parliament of 1640. be directly *discommended*. It was therefore necessary to frame those Six Acts of Parliament, made after the Restoration, in such artful Terms as to go between *those Two Extremes*, and to couch the Meaning in obscure and ambiguous Words, that the People might (if they pleased, and as the Clergy did) argue and infer, that King Charles I. who had been pleased to admit, that he had **departed** from the known Laws to an arbitrary Power, was of all Governors the *best*; and that that Parliament of 1640. which had *redressed* those Grievances, and *rescued* the Constitution, were of all Subjects the *most*.

But after some time the People took into their Examination the Validity of those Six Acts of Parliament; and in regard the same tended covertly to condemn the *Invitation* of the Scots, who, by Force of Arms, *compelled* the assembling the Parliament of 1640. and consequently to disparage those Acts of Reformation, and so by Degrees to enslave the Nation; they inquir'd into the *Demeanour* of their Representatives, whom they had intrusted to act for the publick Interest; and thereupon they determin'd and resolv'd, That they (the *Electors*) had never *given* to those their Representatives in the Parliament of 1661. *Authority* to devise or consent to such Laws as would bring them into *Servitude*: And therefore those their Representatives, in devising and consenting to those Acts of Parliament, had acted against the Interest of their *Constituents*, and exceeded their *Authority*, and had endeavour'd to extinguish and deliver up to the Crown the People's *Hereditary Rights and Privileges*; and consequently the Force of those insidious Statutes having been Enacted *De Facto, & non de Jure*, did in 1688. like Extremes in Mechanism, die and disappear: For the *best* that can be said of the Parliament of 1661. is what a great Lord (*Holles*) hath said of them; (*viz.*) That they were in a *Delirium and Dotage*, and so continu'd till the Year 1672. when the *French King* cured that Distemper by invading and almost conquering *Holland*.

The People in 1688. argued, That the *Object* to which those Statutes required such a new Sort of Obedience, was a King who administered his Government, and protected his Subjects, according to the Fundamental Form of Government; and not such a King as **departed** from the known Laws, and made his **Will his Law**, or govern'd by Foreign Laws: From all which it may be concluded, that the Parliaments, after the Restoration, instead of mending the Constitution, marr'd it, and involv'd the People in more Disputations and Questions about it, than were ever before moved and debated: And yet notwithstanding all these sinister Strokes at the Justice of the **Revolt** in 1688. and at the Right of the *Protestant Succession*, which is founded on the *Justice* of that Revolt; this *Historian* was pleased to dedicate that Work to his Majesty King George I. whose Right it *undermined*.

This *Historian*, in his History of the Revolution, printed in Octavo, Page 244. writes, That the *deposing Power* (i. e. the Doctrine of a King's *vacating* his Throne, when he incapacitates himself to govern) was so **odious**, that none of the Bishops (except those of *London* and *Bristol*) could come into the *Opinion* of *filling the Throne*, insinuating, that an arbitrary Government must necessarily be perpetual, because (according to him) the removing it was an *odious* Undertaking.

This is an unfair Reflection, because the Two Estates of Lords and Commons had no need to exercise a deposing nor a degrading Power; for King James had before, by his own Acts, displaced himself, and vacated the Throne: The Lords and Commons therefore, in the Proceedings of 1668. *exercised only a supplying Power*, by declaring the Throne vacant, and by *reinsituting* the monarchical Estate to fill up that Vacancy, and by those means to restore the antient Form of the monarchical Government.

He likewise, in Page 1148. of his History of *England*, writes, That it appears from what passed at the grand Conference between the Lords and Commons, about the Abdication

Vote,

Vote, That the Opinion was almost universal, that King *James* had abdicated and forfeited his own personal Right; but that the main Difficulty arose from a Regard to his Heirs, and probably from the Prince of *Wales* himself, about whose Title both Lords and Commons seem'd resolv'd (as he says) not to have the least Argument.

He proceeds and writes, that several of the Lords, who were at first of the *High Party*, and against the Vacancy, (to wit) the Four Dukes of *Ormond*, *Southampton*, *Grafton*, and *Northumberland*, went over to the other Party, (meaning the *Low Party* of the Church of *England*) inasmuch that by those means, *the Party* (as he calls them) for a new King (meaning a Protestant Monarch) carried the Two Questions, about the Words *Abdicated* and *Vacant*, in the Affirmative; to which he added this deriding Conclusion, *So that, that Vote* (carried according to him by a small Majority of Lords, meaning the *Low Party* Lords) *became the Basis and Foundation on which the Grand Establishment* (meaning the Protestant Succession) *was to stand sure and firm to future Ages.*

These Insinuations of an Historian so celebrated (as is that Author) necessarily carry an Aspect towards the Protestant Succession, adverse and injurious, because they bear up and come as near to a Condemnation of those Proceedings, and of the Accession of the Protestant Line to the Crown, to be unlawful, as the Historian durst approach; but his artful and polite Style is insidious, because every thing is so, that is *untrue*; for the Commons (who in Fact were the *Low Party* of the Church of *England*) were so far from being resolved, not to have any Argument with the disagreeing Lords about any *Title of the Person*, (whom the Historian might decently enough have called the *supposed* Prince of *Wales*) that they challenged the opposing Lords, and demanded to know of them, Whether any Person could, by any Law either Human or Divine, be *Heir* to King *James II.* whilst he was living; and if Yea, who that Person was, that was at that Time King *James's* *Heir* in his *Life-time*? But those Lords were not then able to answer that Question, neither can the same be now answer'd; for the Prince of *Orange*, upon his Invasion, did, in Right of his Wife, and at the Instance of the People of *England*, by his Declaration, request King *James* to call and assemble a *free Parliament*, to the end the *Right* of Succession might be inquired into and settled, which was the only fair Method that could be taken to try the Questions about it, because all the Matters of Fact were then *recent*, and all the Witnesses *living*.

But King *James* declined to abide a Parliamentary Inquisition, or Trial, of the Reality of the Birth of his pretended Prince of *Wales*: His Majesty was without Doubt conscious, that that Matter would not bear the Light, neither could the Credit of his Witnesses (the most of whom were *Italians*) bear a strict Examination, or gain any Belief; and therefore King *James* refused to call a *Parliament*, deserted the Controversy, and withdrew himself out of his Kingdom; by which he made his *holding a Parliament* impossible, neither could he have any *Heir* whilst he was living. These Acts of King *James* therefore amounted to a Disclaimer, or to a Nonsuit, which in Law is the giving a Verdict against himself, and his own consenting, that the Nation should provide for themselves a new King; and yet this Historian hath endeavour'd to revive and keep alive this Question, notwithstanding the same was, by King *James* himself, so *formally given up* and relinquished.

Suitable to what this Historian hath written in his grand *History of England*, he hath also written in the Conclusion of his *History of the Revolution, and the Establishment of England in the Year 1688.* printed in Octavo; which is in these Words:

After the publick Reading of the Declaration of Rights, the Marquis of Halifax, Speaker of the House of Lords, in the Presence of the Commons, who attended with their Speaker, made a solemn Tender of the Crown to their Highnesses the Prince and Princess of Orange, in the Name of both Houses, the Representative of the Nation.

Whereupon the Prince of *Orange* return'd this following Answer; My Lords and Gentlemen, *This is certainly the greatest Proof of the Trust you have in us, that can be given, which is the thing which makes us value it the more, and we thankfully accept what you have offered; and as I had no other Intention in coming hither, than to preserve your Religion, Laws, and Liberties; so you may be sure, that I shall endeavour to support them, and shall be willing to concur in any thing that shall be for the Good of the Kingdom, and to do all that is in my Power, to advance the Welfare and Glory of the Nation.*

Upon the Conclusion of this august Ceremony, the Acclamations of the People in the Banqueting-house were immediately resounded by the Multitudes without, and nothing but Joy and Rapture appear'd in the Streets: A solemn Proclamation (which for this Purpose had passed both Houses in Form) was presently produced, so remarkable, that it cannot here be totally omitted, beginning thus:

Whereas

Whereas it has pleased Almighty God, in his great Mercy to this Kingdom, to vouchsafe us a miraculous Deliverance from Popery and Arbitrary Power; and that our Preservation is due, next under God, to the Resolution and Conduct of his Highness the Prince of Orange, whom God hath chosen to be the glorious Instrument of such an inestimable Happiness to us, and our Posterity; and being sensible, and fully persuaded, of the great and eminent Virtue of her Highness the Princess of Orange, whose Zeal for the Protestant Religion will, no doubt, bring a Blessing along with her, upon this Nation: And whereas the Lords and Commons now assembled at Westminster, have made a Declaration, and presented the same to the said Prince and Princess of Orange, and therein desired them to accept the Crown, who have accepted the same accordingly; We therefore, &c. do with full Consent, publish and proclaim, according to the said Declaration, William and Mary, Prince and Princess of Orange, to be King and Queen of England, France, and Ireland, with all the Dominions and Territories thereunto belonging, &c.

This was solemnly publish'd, with a Grand and Noble Attendance, in all the usual Places; and all the whole City and Suburbs were fill'd with such Overflowings of Exultation, as totally drowned all the little Discontents and Murmurings (meaning of the *High Party*) that had begun to shew themselves, upon this surprising Change and Settlement.

And thus, within the Compass of half a Year, with very little Bloodshed, and no Convulsion in the Nation, was finish'd and completed the stupendous Revolution, and succeeding Establishment, both of the highest Consequence and Importance not only to the British Dominions, but the noblest Parts of the Western World.

And here we have open'd a large Field for Reflections and Observations, as well as Conjectures and Imaginations, a Change so mighty and sudden at that Time, and since then so effectual and permanent, may be only a Matter of Wonder to these Times, but more like a Romance to After-ages; for taking it with all its Circumstances, the whole Turn is without Precedent or Comparison; which has occasion'd so many different Apprehensions, as to the several Parts of it, and has made it so hard for many (meaning the *High Party* of the Church of England Men) to do Justice to the Subject Matter of the Revolution.

But before we dismiss it, it may fitly be remembered, That the foremention'd Impediments, arising from Laws and Opinions, (meaning the foremention'd Six new Acts and Doctrines) though for a while imperceivable, proved a great Damage to this vast Machine, which, though admirably put together, and dextrously set in Motion, consisted of such jarring and unequal Parts, that it was in Danger of falling in Pieces, soon after it had perform'd its great Work; therefore for its Safety and Preservation it was necessary to have the Hands of a most perfect Artificer, and the Eyes of a most vigilant Observer, of all its Motions.

And such a one it happily met with in the Person of King William, whose invincible Courage, and unwearied Patience, secured it against such imminent Difficulties, as would have intimidated and disheartened any Man that was less a Hero than himself; so that when he accepted the Crown of England, he entered upon an Undertaking, not only the most intricate and ungrateful, but the most painful and laborious, that ever any Prince did. Therefore it is no wonder to find him so often toiling and working, struggling and contending, against unforeseen Hardships and Obstructions, and more than once resolving to quit his Title and Government: But this was Matter for the following Reign, which the Historian promises he will undertake in due Time.

And I will venture (says the Historian) to conclude all with this very probable and free Assertion, that if England had been govern'd at that Time, by any other Popish Prince and Ministry, it would have met with no Deliverance at all; and if that Deliverance had been wrought by any other Person than he that did effect it, the Benefit had never been of any settled or lasting Duration.

From this Conclusion of that Book may be made these Observations; viz.

1. That when the Marquis of Halifax, Speaker of the House of Lords, made a solemn Tender of the Crown (*i. e.* of the Government) to the Prince and Princess of Orange, in the Name of both Houses, the Representative of the Nation, they eminently executed their Fundamental Authority, reserv'd in that Case by the original Constitution, and re-acted the same thing as their Ancestors had oftentimes in the like Case done before, as appears in the *Britannic Constitution*; and therefore this Historian's Allegation, that the Revolution was without Precedent or Comparison, is utterly untrue; and his affirming in general, That Want of a Precedent or Comparison had occasion'd so many different Apprehensions as to the several Parts of it, and had made it so obscure and hard for many to do Justice to the Subject Matter of it, has left it totally ambiguous, Whether that Justice (in his Meaning)

is to justify or condemn the material Parts of the Revolution, and of the present Establishment, and the Means by which it was compassed and effected.

2. That if the Historian's Assertion would have been *true*, (as in all Probability it would) viz. That if *England* had been govern'd at that Time, by any other Popish Prince, than by King *James II.* and his Ministry, it would have met with no *Deliverance*: I say, if that Case would have been *true*, then what *Censures* ought to be entail'd on the Memory of those Clergy and Laity, who brought the Nation and the Protestant Religion so near the *Precipice* of Destruction, by opposing and preventing the Popish Successor's *Exclusion*?

3. That whatsoever is above-written, concerning the *High Party* of the Church of *England* Men, and their *Aversions* towards the Principles and Proceedings, on which the *Justice* of the Revolution, and the *Right* of the Protestant Succession, was founded, is abundantly justified by this Historian, and especially by his Conclusion; which shews how hard a *Task* those undergo, who make their *Professions* *jarr* with their Principles.

4. That if King *William* was (as in Fact he was) found often *toiling*, and *struggling*, and *contending* against unforeseen Hardships and Obstructions, he might place it to his own Account; for he *divided* himself from those Principles and Maxims of State, on which his Government was founded, and *employ'd* and *trusted* many of that Party to keep and defend his Crown, who zealously opposed the placing it on his Head; and at the same time cast off, or at least looked on, the other Party lukewarmly: However, this King, about *Michaelmas* 1701. when it was of the latest, resumed his Royal Mind, changed his Sentiments, and declared in private to his Friends, that he would not bear for One Year more to be insulted, as he had been the Year before, by one Party of Men, if it were to be King of *Europe*; and in order therefore to recover himself, he changed his Ministers, and dissolved the Parliament on the 11th of *November* 1701. and the People chose a better: But King *William* lived not to enjoy those better Times and Glories which ensued, and which may be called the Fruits of that necessary *Alteration*.

The *Insincerity* of such Representations, made by such Writers, and the want of Uniformity and Certainty of what are, and what are not, the *Fundamental Parts* of the Constitution in the State, have nourish'd in the People's Minds, and kept alive, *Jarrings* and *Maverings*, and subjected them to deviate into Errors, as was evident from the deep Impressions, which a certain Preacher's Imputations made in the Year 1710. upon the Multitude.

The Readers of those Two Histories, and other such Writings, can receive from them no Impressions upon their Minds, but false Ideas of rebellious, difficult, and illegal Proceedings at the Revolution; which Ideas will always furnish Materials (if not obviated) to corrode and shake the present Establishment, even as its *Root* and *Foundation*.

It is evident, that from these untrue Representations and Causes, have sprung up and continued those Mobs, Riots, and Huzza's in the Streets of *London*, which inferior *Roman Catholics* have increased, and made daring and noisy, even beyond *Suppression*, but by the Execution of Five of them in *Fleetstreet*, and which Disorders are still instigated by the Papists, and still break out, and shew themselves upon every Occasion, whenever it is imagined, they may be committed with Impunity.

From these Causes also proceed that Behaviour in the Pulpit, where most of the Clergy, when they fancy they are at Liberty, decline praying for King *George*, and the Protestant Royal Family; but instead of praying, bid the People to pray for them, which is a strong Indication of a secret *Disaffection*, or at least of a *Disinclination*, in such as so demean themselves.

And therefore it cannot be surprising, if the *Pretender*, who aspires to usurp the Crown, shall, in his Applications and Addresses to Foreign Potentates for Assistance, represent (as he may) these distemper'd and unquiet *Notions*, or rather strong *Delusions* of this Party, as a strong Foundation, and even as an *Invitation* for him to depend on, if those *Roman Catholic* Powers would assist him with Forces, to which this Part of the People might in their Madness resort, and assist in overturning the present Settlement; and in that Case the Northern Heresy (meaning the Protestant Religion) might (as he alleges) be by those very *Hereticks* themselves extirpated, or at least that One Part of them might be made instrumental to ruin the other; and the rather since such a Proceeding could not be more surprising, than was that mad and sudden Change, when they faced about, raised from the Ground, and comforted the Enemy, separated and abandon'd their Friends and Allies, and treated Victories as the most *consuming* Mischiefs, which could be done this Nation, esteeming it more happy to be, in Battle, overcome and vanquish'd, than to overcome our National Enemies: All which Reasoning may be supported, by the Argument drawn from

Similitude;

Similitude; for what the Madness of the People hath heretofore transacted, may be again reacted; to which may be added, That this *High Party* justly despair, they can ever be trusted with Power, to preserve that Establishment of the Protestant Succession, which they always opposed, until after they shall be converted.

6. As to those *Diversities of Opinions* springing up like Weeds, for want of imitating that Antient and Venerable Precedent, which suppressed all Disputations, and reduced the People's disagreeing Notions of *Magna Charta* to Uniformity;

It may be remember'd, that in the *Thirteenth Century*, (i. e. between the Year 1200. and 1300.) the Debates and Controversies, touching the *Constitution in the State*, were infinite; for in that Century the Constitution was, by the *Two Magna Charta's* of the Kings *John* and *Henry III.* declared, and reduced to a tolerable Certainty: But those Charters were not, without long Wars, and spilling much Blood, obtained and adjusted; for the People were then (as they now be) divided into Parties, which may be ranked under the modern Denominations of *Whigs* and *Tories*.

The antient *Tories* were then, as some People now be, inclined to an absolute monarchical Government, and therefore join'd with the Kings *John* and *Henry III.* in their Wars against the Barons, to assert and support those Kings in their arbitrary Proceedings, and to enervate the Constitution, and the Charters of Liberties; in which if they had succeeded, Liberty, or the Name of it, had not now existed in Britain: However, the National Freedom and Liberties were, by the Disaffection of this Party, oftentimes brought into Danger of being utterly subverted and erased.

The antient *Whigs* were then (as the *Low Party* now is) zealous in the Cause of Liberty, and united themselves in disturbing and opposing those Kings arbitrary Measures; and in so doing, they procured, or rather compelled, a Declaration of the National Liberties and Privileges to be made by the *Two Magna Charta's*.

But still there continued, amongst the People, great Discords and Debates about the Constitution and Legality of those Charters.

The old *Tory Party* of the People, in that Century, treated the Two Charters of Liberties with Disparagements, by vilifying the Two Estates of Lords and Commons, and objecting, that King *John's* *Magna Charta* was, by the old *Whig Barons*, and the Commons who adhered to them, forcibly extorted; and that King *Henry III's* *Magna Charta* was first obtained in his Monage, and afterwards defended and vindicated by Arms and Violence; and that for those Reasons those Charters were tinged with Rebellion, and were therefore of no Validity: And accordingly those old *Whig Barons*, and their Adherents, have been, in most of our antient and modern Histories, represented, as a turbulent and rebellious People, and their Proceedings as factious, seditious, and unwarrantable.

The old *Whig Party* in that Century argued, that these Charters were Acts of Parliament, and that the Liberties and Privileges declared in them, were not new Concessions, but were their antient, original, and hereditary Birthrights, descended to them from their Ancestors; and to prove the same, they were ready to support, and (when all other Means failed) did support, those Arguments with Arms.

These violent Debates between the Two Parties continued, and fill'd the Nation in that Century, with great Disturbances, insomuch that, in order to cure that Distemper, and to silence all Contentions about the Charters of Liberties, an Act of Parliament was, in the 25th Year of King *Edward I.* passed, whereby it was, in Chapters 1. and 4. of that Statute, declared, That King *Henry III's* *Magna Charta* was made by the Common Assent of all the Realm; and for that Reason it was Enacted, that that *Magna Charta* should be kept in every Point, as the common Law of the Land, and that the Bishops should Excommunicate all such Persons as should by Word, Deed, Aid, or Council, break or endeavour to break or undo it; which was in those Times esteemed a terrible Punishment, and shews that the Parliament then aimed at Uniformity, and deemed such to be Enemies to God, and unfit for good Mens Company, as should be such Enemies to their Country: The great Officers of State were also in those Times obliged to recognize *Magna Charta*, and to take Oaths to observe every Point of it.

This antient Precedent, made above 420 Years ago, proves the Uniformity now proposed to be no Innovation; but that the like Distempers which in old Times troubled the Nation, have been cured by the like Remedy, as is now suggested.

7. As to the Insufficiency of those Securities which have been, as yet provided, to preserve the State Constitution:

These Discords and Confusions are the Fruits of the Diversity of Mens Opinions, touching what are, and what are not, the Fundamental Parts of the State Constitution; and therefore

fore upon a View taken of those *Securities*, which have been provided for preserving that Constitution, there will appear many Deficiencies.

For although the *Abjuration Oath*, which the Ministers of State, at that time, imagined to be a sovereign Remedy, contained Words general and expressive, (*viz.*) that King William, Queen Anne, and King George the First, were successively *rightful and lawful* Kings and Queen, and that the Pretender (meaning the Person who endeavours to usurp the Crown) had no *Right or Title* whereby the Revolution and the present Establishment are, *prima Facie*, by *Implication*, asserted to be legal; yet these Oaths, being general, have proved but a slender Security; for a famous Preacher, and many others, both Clergy and Laity, of his Principles, have taken, and made no Scruple to take, the *Abjuration Oath*; but having satisfied themselves with some *occult* Evasions, that celebrated Doctor, and others of his Opinion, made no Scruple to disown and arraign those *Fundamental Parts* of the Constitution in the State, which authorized the *Invitation* and Solicitation of the Prince of Orange, and do justify the Revolution, and support the Protestant Succession; and accordingly this Party *sarcastically* (though justly) give up to the other, the whole *Honour* of bringing about that Revolution, and Reformation in Government, and justly forbear to claim any Part of the *Merit*, in compassing that grand *Deliverance*.

And each Party have treated the other with Asperity: The Low Party have charged the other with rebellious Principles, in setting the Church Authority above the Crown, and in denying the *Justice and Legality* of the People's Resistance at the Revolution; and the High Party have treated the Low with the odious Reflections of actual Rebellion, &c. for *inviting* and soliciting the Prince of Orange, and using those *forcible* Means, against King James II's arbitrary Government, which *disturbed* his new-assumed Powers, and *pursued* and drove them out of the Kingdom; and have often asserted, That the Two Estates of Lords and Commons, assembled in the Convention of 1688. were *Assemblies de Facto*, & non de Jure: And that although those *Assemblies* took upon them to vote and resolve, and did vote and resolve, That King James's Endeavours to subvert the Constitution, his Breaches of the original Contract, and his Violations of the Fundamental Laws, were such Instances of Misgovernment, and of the Exercise of arbitrary Power, as *infer'd* an *Abdication*, and an Incapacity to govern, and that the Throne was, for that Reason, *vacant*, and in Consequence thereof they *tendered* the Crown to the Prince and Princess of Orange; yet those *Assemblies* had (as this Party alleges) no *Authority* so to do, and consequently that the Supply of the *Defect* of Government, by *reinstating* the regal Estate, and by *settling* the Succession, in the Protestant Line, were, according to them, no more than convenient and *successful* Events of unjustifiable Causes: For this High Party will never allow, that the *Invitation*, Solicitation, or Invasion of the Prince of Orange, and the joining the *British* Subjects with him, to *disturb* and pursue arbitrary Power, or the *declaring* the Throne to be vacant, or the *Tender* of the Crown made by the Two Estates of Lords and Commons to the Prince and Princess, were *legal* or *justifiable*, or maintainable by the Constitution.

The Reasonableness therefore of the Uniformity here proposed, may be further illustrated by the Statute of 12 W. III. Cap. 2. intituled, *An Act for the further Limitation of the Crown, and better Security of the Rights and Liberties of the Subject*; for if what that Statute asserts is true, (as doubtless it is) *viz.* That it was absolutely necessary for the Safety, Peace, and Quiet of the Kingdom, to obviate all *Doubts and Contentions* in the Succession, arising from pretended *Titles* to the Crown, and to maintain a *Certainty* in the Succession thereof; then it is equally necessary for the Safety, Peace, and Quiet of the Kingdom, to obviate all *Doubts and Contentions* in the Constitution of the Kingdom, arising from Variety of Opinions, Affections and Disaffections, and to introduce *Uniformity*, and a *Certainty* in the several Parts of it, because the Protestant Succession is built upon that Constitution, as on a Basis or Foundation; and therefore ought not to be shaken by those Uncertainties, which the High Party make use of to assault and batter it on all Occasions.

It is observable, that by this Act the Succession to the Crown is limited to the Princess Sophia, and the Heirs of her Body, being *Protestants*; so that by this Limitation it is apparent, that not All the Heirs of the Body of the Princess Sophia are to succeed, but the Succession is limited to such Heirs only, as shall be and continue *Protestants*; which directly agrees with that conditional Part of the Constitution in the Church, which hath limited the Absolution of Sins, to the People being *Penitents*.

However, this express Limitation is in all things parallel to the *Salique* Law; for by the Fundamental Law of State in France, the French Crown is to descend, not to all the Heirs of their Kings, but to their Heirs, being *Males*, and deriving by Males; which is a Succession as *strictly limited*, as is the Succession to the Crown of Great Britain.

8. It is to be added, That a full Dependence is to be placed in his present Majesty's Royal Promise, that the Preservation of the Constitution in this Kingdom, as it is now happily

happily establish'd in the State, inviolable in all its Parts, shall be his first, and always his chief Care.

It is therefore the most desirable Wish, that the Thing promised to be preserved; (viz. the Constitution, and the Fundamental Parts of it) should be made known, certain, and uniform, because the Knowledge and Preservation of *That Thing so promised to be preserved*, will effectually secure the *Succession* to his Posterity against all *Interlopers*.

But till Uniformity and Certainty be introduced, the Constitution itself will stand precarious; for we have heard and read of some Judges, (those Sages and Guardians of the Law) that have subscribed Opinions, whereby they have framed many fictitious Authorities and Prerogatives for our supreme Governors, which never had any *Existence* in Law, and yet nevertheless have exhibited them as real and fundamental Parts of the Constitution; as may be seen specified in the Book call'd *The Britannic Constitution*.

It hath been also found, that some Speakers of Parliament have acted inconsistently with themselves, and with the known Rights of that House, which placed them in its Chair. The Demeanour of Sir John Buffy, Speaker of the House of Commons 21 Ric. II. is one Instance of those variable Sentiments: But that Offender justly perished in the Rage of those common People, whose Right he had subverted, as it is stated in the *Britannic Constitution*.

William Lenthall, Esq; proved, of all others, the most remarkable *Proteus*; for although he behaved notably in the Parliament of 1641. when his Majesty King Charles I. enter'd the House, sat in the Chair, and required him (the Speaker Lenthall) to inform his Majesty, whether the Five Members, Mr. Hampden, &c. (whom his Majesty, for their inviting and soliciting the Scots Invasion, had, by his Attorney General, impeached of *High Treason*) were in the House or not, Mr. Lenthall answer'd, *That he had neither Eyes to see, nor Tongue to speak, but what that House commanded*; yet Mr. Lenthall afterwards betray'd and deserted that very House, carried the Mace in July 1647. to the Army, and advised them to march and take (and they did take) that same House of Commons under their Direction; in which *nefarious* Treachery he equalled, if not exceeded, Sir John Buffy.

But above all, Mr. Lenthall, being chosen a Member of the Convention Parliament of 1660. (which Mr. Echard, because they restored the Constitution, justly calls a blessed and noble Assembly) affirmed in the House, with great Freedom, That he who first drew the Sword (meaning Mr. Hampden, &c.) against King Charles I. committed as great an Offence, as he that cut off his Head: At which groundless Calumny, that noble and restoring House of Commons were so incensed, that the Sergeant, by their Order, seized Mr. Lenthall, and set him to the Bar, where Sir Harbottle Grimston, then Speaker, gave him (by the Direction of that restored, and restoring House) a sharp and severe Reprehension, importing, That in his Assertion, *That those who first drew the Sword against the late King, had committed as great an Offence, as those who cut off his Head*, he (Mr. Lenthall) had as highly reflected on (and calumniated) the Justice and Proceedings of the Lords and Commons of the last Parliament (meaning the Parliament of 1641.) as could be expressed, intimating, That their drawing the Sword to bring State Malefactors to Punishment, and to vindicate (and rescue) their just Liberties, had no Similitude to the cutting off the King's Head, which was an outrageous Act of the Army, after they had violated and dispersed the Parliament, of which wicked Fact that House (of 1660.) had the utmost Abhorrence and Detestation; *the first being necessary, justifiable, and often practised by their Ancestors*, but the latter utterly unwarrantable and unprecedented. This Proceeding therefore pointed out Mr. Lenthall to be inconsistent with himself, and a secret Enemy to the Constitution.

To which may be added, That every one of the Five Council for the Defendant in a late State Trial, admitted, That the Revolt, and drawing the Sword in 1688. to rescue the Nation's just Liberties, was lawful, and was a Case excepted out of all the Rules of Non-resistance: And yet immediately after, they spent Five Days in exhibiting Evidence, and urging Arguments, to *disprove* their own Admission; which so puzzled the Cause, and had such an Influence on many, that one great Lord, who had been active in the Revolt of 1688. and in passing the Act of Succession, and yet glancing at the Measures then in Embryo, to defeat that Succession, was pleased to declare, That what he had done in that Revolt (*i. e.* that his drawing the Sword to vindicate the National Freedom) was *High Treason*, and that he knew of no Right to the Crown but *Hereditary Right*; which was a plain *Retrogression* *.

These disagreeing and contradictory Notions of Government enforce the Reasons for the Uniformity here proposed; for if former Judges could frame such *fictitious Authorities*, and exhibit them as real and fundamental Parts of the Constitution; and if Speakers of the

* Boyer's Life of Queen Anne. Fol. 433.

House of Commons have been so *variable*, who can foresee, what future Judges may do? They may advise our succeeding Kings, that Parliaments have indeed declared null and void some former Proceedings in particular Cases, but never ascertained what were the *Fundamental Parts of the Constitution* in general; and therefore if subsequent Proceedings can be, by some little Difference or Evasion, distinguished from the former, the Governor and Governed may be again *plunged*, as formerly, in the like miserable Perplexities and Contentions.

These Presumptions are not yet far enough removed; for whilst the *Justice* of the Revolution continues to be arraigned, and those who *invited* the Prince of Orange, and joined and assisted him, in *disturbing and removing* King James's arbitrary Government, are by some Gentlemen treated as *rebellious People*, and their Proceedings touching the *Vacancy* of the Throne, and *Tender* of the Crown, are *condemned* as illegal, the Addresses of such Gentlemen must necessarily be attended with Suspicion; for no Tree, or its Root, can be so well known as by its Fruits: It is therefore presumed, That such of them as have erred, and been misled, would gladly shake off those Suspicions, and *unfeignedly assent and consent* to the Truth of such Parts of the Constitution, as *authorized* the Revolution Proceedings, and justify the Right of the *Protestant Monarchy*, that was, in virtue thereof, instituted and established.

The last Matter was to shew how the *Uniformity* proposed may be introduced, and to specify the great Advantages of it; for which End it may be remembered, That the *Two Houses of Convocation*, of Canterbury and York, could (and did) compose and settle the *Constitution* in the Church, and the *Uniformity* of it, so aptly and completely, as that all the Ministers of it must publickly and solemnly declare to and in their Congregations, their *unfeigned Assent and Consent* to all and every thing in it — And if that Security so made by Act of Parliament, for recognizing and preserving that Constitution in the Church, hath (as it really hath) suppressed and silenced all Controversies about what are Parts, and what are not Parts of it; **Then it may be concluded**, That the Two Houses of Parliament*, by themselves, or by Commissioners, after the manner of preparing the Articles for the Union with Scotland, may with equal Facility, compose, epitomize, and ascertain the several Fundamental Parts of the Constitution, in the State, or the Constitution of this Kingdom, and reduce them to *Uniformity*; and the Legislature may, with equal Success, provide the like Security for recognizing and preserving the *State Uniformity*, as inviolable as is that of the Church, by obliging the Two Universities, and all Ecclesiastical Gentlemen, and all Officers Civil and Military, to declare and subscribe their *unfeigned Assent and Consent* to all and every of the Parts and Points of the *Constitution* in the State; and above all, that Characteristick Part which *authorized* and justifies the *Invitation* and Solicitation of the Prince of Orange, and his Invasion, and also the *Disturbance*, which he and the *British* Subjects (who joined his Army) made, to *pursue* and remove out of the Kingdom an arbitrary Government; for until that Part be admitted and owned to be (as it really was) *just and lawful*, the *Vote* of Abdication, and the placing King William in the Throne, and the *Establishment* of the *Protestant Succession*, can never be, by some Men, counted *lawful*; for whoever will, as many do, treat that Disturbance, or Resistance, as *Rebellion*, will at the same time treat the present Establishment as an *Usurpation*: Whereas King William being the Restorer of the Constitution, he may (humanly speaking) be accounted the *Founder* of the *Protestant Succession*; and therefore all Aspersions of his Invasion, and Accession to the Crown, ought to be with the utmost Care, obviated, prevented, and *condemned*.

The Legislature may also provide, That if ever such Subscribers shall recede, recant, or derogate from, or preach, or print, or act against such their Declarations concerning the State Uniformity, they shall be treated as *State Dissenters*, and *Nonconformists*, and as publick Enemies to that Constitution they disown; and moreover shall incur the Penalties of a Premunire, for a Relapse so depraved, to the end their Estates may reimburse such Charges as *Disturbances* of their procuring may occasion.

For although the Act of Uniformity in the Church doth contain, in the Body of it, a Restriction concerning *Dissenters*, i. e. That Men (if they will exclude themselves from Church Benefices and Promotions) may lawfully *dissent* from this Uniformity, because the Act refers to the written Word of God, and enacts, That nothing *besides* that written Word shall be *Enforced*, the Human Obligation therefore to conform to that Constitution in the Church, is by Holy Writ, and by that Restriction, superseded; but no Persons can be excepted out of *Uniformity* in the State, because the Constitution itself, and such an Obligation to con-

* 6 Annae, cap. 7.

form to it, being both of human and temporal Extraction, can admit of no Pretence for an *Exception, or a Restriction*; he therefore, who in this Case *dissents* from the Constitution, ought to be incapable to enjoy any Protection under it.

Objection. But this Expedient of *subscribing an unfeigned Assent and Consent* to the Constitution, and to all the Fundamental Parts of it, can have no better Effect, than the *Abjuration Oath* hath already had; because the Subscriber may insist on such Evasions, as the *Breakers* of the Abjuration Oath have already pretended, viz. That the Fault is not in the *Breaker* of that Oath, by retaining in his Mind, and asserting the *Right abjured*, but in that *Power* which imposed the Oath, *to abjure that Right*: So the Subscriber will say, That the Fault is not in his retracting his Consent, or departing from the Constitution unfeignedly *assented* to, but in that *Power* which imposed and required that *Assent and Consent*, and to subscribe it as *unfeigned*.

Answer. Yet such hypocritical Offenders will appear, even to their Neighbours, *Infamous*, and such an Act of Uniformity may declare them to be *Renegado's* (i. e. Men who disown their Country, and contradict the Dictates of their own Conscience); and therefore such an Act of *Uniformity* may inflict such Incapacities, as will expose them, not only to Contempt, and apparent Guiltiness, but to such Inconveniencies as will be *distinguishing*. To which this further Answer may be added, That the *Abjuration Oath* concerns only the *King's Interest*, and his Rights, which perhaps may be little regarded; but the *Uniformity Oath* will be to assert and maintain *every Man's Right, Liberty, and Property*, as well as the *King's Right and Prerogatives*, and therefore will be regarded by every Man, as he regards his own private Interest; however, although some obstinate and incurable Objectors may at present offend, yet doubtless, their *Posterity will assent and consent unfeignedly*, because Opposition to the Constitution, and the Laws of their Country, will afford neither Profit nor *Reputation*.

If this Expedient touching *Uniformity* in the State Constitution is practicable, then the Use and Advantage, and even the Necessity of such a Provision, is apparent; for by such a *State Uniformity*, the various Diversities and Shapes of *fictional* Constitutions repugnant to, and inconsistent with, the *true one*, and all Disputations and Controversies about the Proceedings at the Revolution in the Year 1688. would be suppressed and extinguished.

And therefore, since the Truth of the *Britannic Constitution*, which is an Epitome of the Fundamental Parts of the Government, hath not been in any Part contradicted; and since that Constitution is what will maintain, in *point of Right*, the Protestant Successor, and is what the People, in *point of Liberty*, must trust to; it is concluded, That from the *Uniformity* here proposed will flow these happy Consequences.

1. All *Animosities and Distinctions* between the *High Party* and the *Low*, will be removed and extinguished; and such of the unwary and innocent People as are at present entangled and *led captive* with such *erroneous Doctrines*, and crude Notions of our Government, as are inconsistent with the *true Constitution* in this Kingdom, will be better *instructed*, and those *Persuasions* that lead Men into Sedition, and even into Rebellion, will appear *absurd* and unreasonable; and therefore this Part of the *People* will be made happy by being brought over to the Qualifications of *true Britons*, and as such will doubtless become zealous Assertors of the *present Protestant Monarchy*, and of the Principles on which it is founded.

2. From this Sort of *Security*, his present Majesty, and the *Protestant Royal Family*, will assuredly receive a great *Addition* of real Strength, because *foreign Potentates* must necessarily see and perceive, that they can have no more Reason or Colour to question or disturb, or to assist the Pretender to disturb, the *Britannic Constitution*, than his Majesty King George can have to question or disturb the *Constitution of the Government* in the Empire, France, or Spain, from which those Potentates derive their Sovereignities; the Law of Nations having prohibited and restrained Sovereign Powers from questioning or intermeddling with the *mere Rights or Titles* of each other, to govern in their separate and distinct Countries. But above all, when *foreign Potentates* shall see the original Government of *Britain* strongly cemented and riveted, in the *Three Estates of King, Lords, and Commons*; and that the *Interest* of any one of those Estates can never be divided or untwisted from the rest, they will at the same time see and conclude, that *every one of the Three Estates* must first be overcome and *Conquered*, before any Pretender can be imposed for their Governor.

3. The Benefit accruing to Posterity from such a Proceeding will be, That the boasted Intail of Popish Pretenders will, by this Extinction of their Pretences, be *docked off and barred*; and all Inclinations towards them alienated and estranged; and the People's Notions of our Government will, by such an Explanation, be reduced to a *Certainty and Uniformity*, because they will then know and understand the *true* Constitution in the State, and the *true* Foundation of the *Protestant Monarchy*, as plainly as they now do, *that of the Church*; and consequently they will unite with Zeal and Courage in asserting and preserving that *Constitution* in this Kingdom, by which every thing they esteem to be their Happiness is guarded and protected. Their Defence of such a Cause can never want Firmness or Unanimity, because they will then see and know what they contend for, and defend; whereas, when Men know not what they contend for, or defend, nor what will, after Victory, be their Condition, their Efforts must needs want that Zeal, Vigour, and Activity, which is necessary to make their Contentions for Victory, in the Cause of Liberty, obstinate and invincible. This Expedient therefore will accomplish those desirable Effects, which flow from the old political Maxim: *Pax Domi, Foris Arma* (i. e. *Peace at Home, and War Abroad*).

F I N I S.

